

United States Court of Appeals
For the Eighth Circuit

No. 21-3289

United States of America

Plaintiff - Appellee

v.

Aaron Edward Briggs

Defendant - Appellant

Appeal from United States District Court
for the Western District of Arkansas - Hot Springs

Submitted: April 27, 2022

Filed: May 2, 2022

[Unpublished]

Before LOKEN, GRUENDER, and GRASZ, Circuit Judges.

PER CURIAM.

Aaron Briggs appeals the sentence imposed by the district court¹ after he pleaded guilty to a sex offense, pursuant to a plea agreement that includes an appeal

¹The Honorable Susan O. Hickey, Chief Judge, United States District Court for the Western District of Arkansas.

waiver. His counsel has moved to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the district court's admission of testimony at sentencing from two victims who were not involved in the instant offense.

Upon careful review, we conclude that the appeal waiver is valid, enforceable, and applicable to the issue raised in this appeal. See United States v. Scott, 627 F.3d 702, 704 (8th Cir. 2010); United States v. Andis, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc). We have also independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), and have found no non-frivolous issues for appeal outside the scope of the appeal waiver. Accordingly, we dismiss the appeal, and we grant counsel's motion to withdraw.
