

United States Court of Appeals  
For the Eighth Circuit

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No. 21-3285

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United States of America

*Plaintiff - Appellee*

v.

Corey Staten

*Defendant - Appellant*

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Appeal from United States District Court  
for the Eastern District of Missouri - St. Louis

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Submitted: June 10, 2022

Filed: June 23, 2022

[Unpublished]

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Before ERICKSON, GRASZ, and KOBES, Circuit Judges.

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PER CURIAM.

Corey Staten appeals the sentence the district court<sup>1</sup> imposed after he pled guilty to being a felon in possession of a firearm, pursuant to a plea agreement

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<sup>1</sup>The Honorable Stephen R. Clark, United States District Judge for the Eastern District of Missouri.

containing an appeal waiver. His counsel has moved to withdraw and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), questioning the substantive reasonableness of the sentence and the enforceability of the appeal waiver.

We conclude the appeal waiver is valid, enforceable, and applicable to Staten's challenge to his sentence. See *United States v. Scott*, 627 F.3d 702, 704 (8th Cir. 2010) (reviewing validity and applicability of appeal waiver de novo); *United States v. Andis*, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc) (enforcing appeal waiver if appeal falls within scope of waiver, defendant knowingly and voluntarily entered into plea agreement and waiver, and it would not result in miscarriage of justice).

Further, having independently reviewed the record under *Penson v. Ohio*, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal outside the scope of the appeal waiver. Accordingly, we grant counsel leave to withdraw and dismiss this appeal.

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