

United States Court of Appeals
For the Eighth Circuit

No. 23-1609

United States of America,

Plaintiff - Appellee,

v.

Jacob Alan Sanders,

Defendant - Appellant.

Appeal from United States District Court
for the Western District of Missouri - Springfield

Submitted: November 16, 2023

Filed: November 30, 2023

[Unpublished]

Before COLLOTON, SHEPHERD, and KOBES, Circuit Judges.

PER CURIAM.

Jacob Sanders appeals a sentence imposed by the district court¹ after Sanders pleaded guilty to attempted possession of child pornography involving a prepubescent

¹The Honorable Stephen R. Bough, United States District Judge for the Western District of Missouri.

minor. *See* 18 U.S.C. § 2252(a)(4), (b)(2). His counsel has moved to withdraw and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), questioning whether the district court erred by applying USSG § 2G2.2(c)(1) and imposing an unreasonable sentence.

A plea agreement signed by Sanders included a waiver of the right to appeal. On de novo review, we will enforce the appeal waiver. Sanders knowingly and voluntarily entered into the plea agreement; the issues raised fall within the scope of the waiver; and no miscarriage of justice would result from enforcing the appeal waiver. *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 *Penon v. Ohio*, 488 U.S. 75 (1988), and have found no non-frivolous issues for appeal falling outside the scope of the waiver.

Accordingly, we dismiss this appeal based on the appeal waiver, and we grant counsel's motion to withdraw.
