

United States Court of Appeals
For the Eighth Circuit

No. 23-2405

United States of America

Plaintiff - Appellee

v.

John Jerrod Jones

Defendant - Appellant

Appeal from United States District Court
for the District of Minnesota

Submitted: January 30, 2024

Filed: February 2, 2024

[Unpublished]

Before LOKEN, COLLOTON, and GRASZ, Circuit Judges.

PER CURIAM.

John Jones appeals the district court's¹ judgment of conviction after he pleaded guilty to possessing an unregistered firearm pursuant to a plea agreement that

¹The Honorable Eric C. Tostrud, United States District Judge for the District of Minnesota.

includes an appeal waiver. His counsel has moved to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the voluntariness of the guilty plea based on ineffective assistance of counsel.

Upon careful review, we conclude that Jones is precluded from challenging the voluntariness of his guilty plea in this appeal because he did not move to withdraw his plea below. See United States v. Umanzor, 617 F.3d 1053, 1060 (8th Cir. 2010). We also conclude that the ineffective-assistance claim is not ripe for review because the record is undeveloped. See United States v. Oliver, 950 F.3d 556, 566 (8th Cir. 2020).

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 grant counsel's motion to withdraw, and we dismiss the appeal.
