

United States Court of Appeals
For the Eighth Circuit

No. 23-3652

United States of America

Plaintiff - Appellee

v.

Patrick Oterigho Isiakpere, Jr.

Defendant - Appellant

Appeal from United States District Court
for the District of Minnesota

Submitted: June 11, 2024

Filed: June 14, 2024

[Unpublished]

Before LOKEN, GRUENDER, and STRAS, Circuit Judges.

PER CURIAM.

Patrick Isiakpere appeals the sentence the district court¹ imposed after he pleaded guilty to firearm and drug offenses pursuant to a written plea agreement

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

containing 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 substantive reasonableness of the sentence.

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) (stating that this court reviews *de novo* the validity and applicability of an appeal waiver); *United States v. Andis*, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc) (stating that an appeal waiver will be enforced if the appeal falls within the scope of the waiver, the defendant knowingly and voluntarily entered into the plea agreement and the waiver, and enforcing the waiver would not result in a miscarriage of justice).

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