

United States Court of Appeals
For the Eighth Circuit

No. 23-3176

United States of America

Plaintiff - Appellee

v.

Shauwn Nettles

Defendant - Appellant

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

Submitted: July 22, 2024

Filed: July 25, 2024

[Unpublished]

Before SMITH, SHEPHERD, and ERICKSON, Circuit Judges.

PER CURIAM.

Shauwn Nettles appeals after he pleaded guilty to a firearm offense pursuant to a plea agreement containing an appeal waiver and the district court¹ imposed a

¹The Honorable Audrey G. Fleissig, United States District Judge for the Eastern District of Missouri.

sentence jointly recommended by the parties. His counsel has moved for leave to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967).

Upon careful de novo review, we conclude that the appeal waiver is valid, applicable, and enforceable. See United States v. Scott, 627 F.3d 702, 704 (8th Cir. 2010) (reviewing de novo validity and applicability of appeal waiver). The record reflects that Nettles entered into the plea agreement and appeal waiver knowingly and voluntarily, and enforcing the waiver will not result in a miscarriage of justice. See United States v. Andis, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc) (discussing enforceability of appeal waivers). Further, we have independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), and have found no non-frivolous issues for appeal falling outside the scope of the appeal waiver.

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