

United States Court of Appeals
For the Eighth Circuit

No. 24-2087

United States of America

Plaintiff - Appellee

v.

Justin Bradford

Defendant - Appellant

Appeal from United States District Court
for the District of South Dakota

Submitted: November 22, 2024

Filed: December 10, 2024

[Unpublished]

Before LOKEN, GRUENDER, and GRASZ, Circuit Judges.

PER CURIAM.

Justin Bradford appeals the sentence imposed by the district court¹ after he pled guilty to firearm and drug charges pursuant to a written plea agreement containing an

¹The Honorable Jonathan A. Kobes, United States Circuit Judge for the Eighth Circuit, sitting by designation.

appeal waiver. His counsel has moved to withdraw, and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), challenging the reasonableness of the sentence. Bradford has filed a pro se brief challenging the calculation of the imprisonment range under the United States Sentencing Guidelines Manual.

Upon careful review, we conclude that the appeal waiver is valid, enforceable, and applicable to the issues raised in this appeal. *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 waiver and plea agreement, and it would not result in miscarriage of justice). 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 dismiss the appeal based on the appeal waiver, and we grant counsel's motion to withdraw.
