

United States Court of Appeals  
For the Eighth Circuit

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No. 24-2116

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United States of America

*Plaintiff - Appellee*

v.

Samuel Vega, also known as Samuel Dominguez-Vega

*Defendant - Appellant*

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

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Submitted: February 7, 2025

Filed: February 13, 2025

[Unpublished]

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Before SMITH, GRUENDER, and SHEPHERD, Circuit Judges.

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PER CURIAM.

Samuel Vega appeals the sentence the district court<sup>1</sup> imposed after he pleaded guilty to a drug conspiracy offense pursuant to a plea agreement containing an appeal

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

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. Although Vega was granted an extension of time, he did not file a pro se brief; however, his motion for an extension of time indicated that he wished to raise the issue of ineffective assistance of counsel.

Upon careful review, we conclude that the appeal waiver is valid, enforceable, and applicable as to the sentencing issues raised in this appeal. See United States v. Scott, 627 F.3d 702, 704 (8th Cir. 2010) (validity and applicability of appeal waiver are reviewed de novo); United States v. Andis, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc) (appeal waiver will be enforced if appeal falls within scope of waiver, defendant knowingly and voluntarily entered into plea agreement and waiver, and enforcing waiver would not result in miscarriage of justice). To the extent Vega raises an ineffective-assistance-of-counsel claim, we decline to address it in this direct appeal. See United States v. Ramirez-Hernandez, 449 F.3d 824, 826-27 (8th Cir. 2006).

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 the appeal based on the appeal waiver and grant counsel's motion to withdraw.

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