

United States Court of Appeals
For the Eighth Circuit

No. 24-2331

United States of America

Plaintiff - Appellee

v.

Demetrius Cortez Kirksey, also known as Demetrius Kirksey

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Missouri

Submitted: January 24, 2025

Filed: February 13, 2025

[Unpublished]

Before BENTON, GRASZ, and KOBES, Circuit Judges.

PER CURIAM.

Demetrius Kirksey appeals after he pled guilty to robbery and firearm offenses, and the district court¹ imposed a sentence within the United States Sentencing

¹The Honorable Sarah E. Pitlyk, United States District Judge for the Eastern District of Missouri.

Guidelines Manual range. His counsel has moved to withdraw and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), discussing the voluntariness of the guilty plea and the reasonableness of the sentence.

After careful review, we conclude that Kirksey’s guilty plea was knowing and voluntary and that the district court did not abuse its discretion in sentencing him. *See United States v. Colbert*, 76 F.4th 1039, 1041 (8th Cir. 2023) (standard of review as to whether guilty plea was knowing and voluntary); *United States v. Feemster*, 572 F.3d 455, 461-62 (8th Cir. 2009) (en banc) (standard of review as to reasonableness of sentence); *see also United States v. Callaway*, 762 F.3d 754, 760-61 (8th Cir. 2014) (“A sentence which falls within the guidelines range is presumed to be reasonable[.]”). Further, having independently reviewed the record under *Penson v. Ohio*, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal. Accordingly, we grant counsel leave to withdraw and affirm.
