

United States Court of Appeals
For the Eighth Circuit

No. 24-2619

United States of America

Plaintiff - Appellee

v.

Davontae Leregginald Alexander

Defendant - Appellant

Appeal from United States District Court
for the District of North Dakota - Western

Submitted: February 26, 2025

Filed: March 3, 2025

[Unpublished]

Before SMITH, SHEPHERD, and GRASZ, Circuit Judges.

PER CURIAM.

Davontae Alexander appeals the sentence imposed by the district court¹ after he pleaded guilty to a drug offense pursuant to a written plea agreement containing

¹The Honorable Daniel M. Traynor, United States District Judge for the District of North Dakota.

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 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) (de novo review of the validity and applicability of an appeal waiver); United States v. Andis, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc) (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 grant counsel leave to withdraw and dismiss the appeal.
