

United States Court of Appeals
For the Eighth Circuit

No. 24-2948

United States of America

Plaintiff - Appellee

v.

Byron Dequenson Williams

Defendant - Appellant

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

Submitted: March 14, 2025

Filed: March 19, 2025

[Unpublished]

Before BENTON, GRASZ, KOBES, Circuit Judges.

PER CURIAM.

Byron Williams appeals the sentence the district court¹ imposed after he pled guilty to a drug offense pursuant to a written plea agreement containing an appeal

¹The Honorable Brian C. Wimes, United States District Judge for the Western District of Missouri.

waiver. His counsel has moved for leave to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the reasonableness of the sentence. Williams has filed a pro se motion for appointment of new counsel.

Upon careful review, we conclude 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 validity and applicability of appeal waiver); 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 waiver and plea agreement, and enforcing waiver would not result in miscarriage of justice).

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 grant counsel leave to withdraw, deny the motion for appointment of counsel as moot, and dismiss the appeal based on the appeal waiver.
