

United States Court of Appeals  
For the Eighth Circuit

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No. 24-3309

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United States of America

*Plaintiff - Appellee*

v.

Juan Humberto Lemus-Mejia

*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: April 30, 2025

Filed: May 5, 2025

[Unpublished]

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Before GRUENDER, KELLY, and KOBES, Circuit Judges.

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PER CURIAM.

Juan Humberto Lemus-Mejia appeals the sentence the district court<sup>1</sup> imposed after he pled guilty to a drug conspiracy offense pursuant to a written plea agreement

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<sup>1</sup>The Honorable Beth Phillips, Chief Judge, United States District Court for the Western District of Missouri.

containing an appeal 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.

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 and dismiss the appeal based on the appeal waiver.

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