

United States Court of Appeals
For the Eighth Circuit

No. 24-3455

United States of America

Plaintiff - Appellee

v.

Louis Charles Smith

Defendant - Appellant

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

Submitted: May 22, 2025

Filed: May 28, 2025

[Unpublished]

Before SMITH, GRASZ, and STRAS, Circuit Judges.

PER CURIAM.

Louis Smith appeals the sentence imposed by the district court¹ after he pled guilty to a drug charge pursuant to a written plea agreement containing an appeal

¹The Honorable Henry E. Autrey, United States District Judge for the Eastern 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 substantive reasonableness of the sentence.

Upon careful review, we conclude that the appeal waiver is valid, enforceable, and applicable to the issues raised in this appeal. *See United States v. Scott*, 627 F.3d 702, 704 (8th Cir. 2010) (reviewing the validity and applicability of an appeal waiver de novo); *United States v. Andis*, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc) (enforcing an appeal waiver if the appeal falls within the scope of the waiver, defendant knowingly and voluntarily entered into the plea agreement and the waiver, and it would not result in miscarriage of justice). We have also independently reviewed the record under *Penon 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's motion to withdraw and dismiss the appeal.
