

United States Court of Appeals
For the Eighth Circuit

No. 25-1658

United States of America

Plaintiff - Appellee

v.

Jermaine Rhodes

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: October 3, 2025

Filed: October 14, 2025

[Unpublished]

Before SMITH, KELLY, and KOBES, Circuit Judges.

PER CURIAM.

Jermaine Rhodes appeals the within-Guidelines-range sentence the district court¹ imposed after he pleaded guilty to a drug offense pursuant to a written plea

¹The Honorable John A. Ross, United States District Judge for the Eastern District of Missouri.

agreement containing 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 substantive reasonableness of the sentence.

Upon careful review, we conclude 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 de novo 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 plea agreement and waiver, and enforcing waiver would not result in miscarriage of justice).

Having independently reviewed the record under 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's motion to withdraw and dismiss the appeal.
