

United States Court of Appeals
For the Eighth Circuit

No. 25-2074

United States of America

Plaintiff - Appellee

v.

Antonio Cleaves

Defendant - Appellant

Appeal from United States District Court
for the Southern District of Iowa - Central

Submitted: December 12, 2025

Filed: December 17, 2025

[Unpublished]

Before LOKEN, ERICKSON, and GRASZ, Circuit Judges.

PER CURIAM.

Antonio Cleaves appeals the district court's¹ judgment of conviction after he pleaded guilty to a firearm offense pursuant to a plea agreement that includes an

¹The Honorable Stephen H. Locher, United States District Judge for the Southern District of Iowa.

appeal waiver. His counsel has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the voluntariness of the guilty plea.

Upon careful review, we conclude that Cleaves is precluded from challenging the voluntariness of his guilty plea in this appeal because he did not move to withdraw his plea below. See United States v. Foy, 617 F.3d 1029, 1033-34 (8th Cir. 2010) (to extent defendant presents argument to establish his plea was unknowing or involuntary, such claim would not be cognizable on direct appeal where he failed to move in district court to withdraw his guilty plea). We have also independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), and have found no non-frivolous issues for appeal outside the scope of the appeal waiver. Accordingly, we dismiss the appeal.
