

United States Court of Appeals
For the Eighth Circuit

No. 25-1380

United States of America

Plaintiff - Appellee

v.

Jesus Morales-Garcia, also known as Don Jesus

Defendant - Appellant

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

Submitted: July 2, 2026

Filed: July 8, 2026

[Unpublished]

Before LAVENSKI R. SMITH, GRUENDER, and GRASZ, Circuit Judges.

PER CURIAM.

Jesus Morales-Garcia appeals after pleading guilty to drug and immigration offenses, pursuant to a written plea agreement containing an appeal waiver, and being

sentenced by the district court.¹ His counsel has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), challenging Morales-Garcia's sentence.

Upon careful review, we conclude the appeal waiver is valid, enforceable, and applicable to the issues before us. *See United States v. Scott*, 627 F.3d 702, 704 (8th Cir. 2010) (reviewing validity and applicability of appeal waiver de novo); *United States v. Andis*, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc) (enforcing appeal waiver if appeal falls within scope of waiver, defendant knowingly and voluntarily entered into plea agreement and waiver, and it would not result in miscarriage of justice). 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 falling outside the scope of the appeal waiver. Accordingly, we grant counsel leave to withdraw and dismiss the appeal.

¹The Honorable Beth Phillips, then Chief Judge, now United States District Judge for the Western District of Missouri.