

United States Court of Appeals
For the Eighth Circuit

No. 25-3364

United States of America

Plaintiff - Appellee

v.

Thomas W. Pitts

Defendant - Appellant

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

Submitted: July 14, 2026

Filed: July 17, 2026

[Unpublished]

Before ERICKSON, GRASZ, and STRAS, Circuit Judges.

PER CURIAM.

Thomas Pitts appeals after he pled guilty to a drug conspiracy offense and the district court¹ sentenced him to 151 months in prison. His counsel has moved for

¹The Honorable Stephen R. Bough, United States District Judge for the Western District of Missouri.

leave to withdraw and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), questioning whether the district court sufficiently complied with Federal Rule of Criminal Procedure 11 such that Pitts's guilty plea was not knowing and voluntary. Pitts has filed a pro se brief reiterating counsel's arguments.

After careful review, we conclude that Pitts's plea was knowing and voluntary. *See United States v. Foy*, 617 F.3d 1029, 1033-34 (8th Cir. 2010) (standard of review). The district court complied with Rule 11 and we discern no error, plain or otherwise. *See id.* (holding that to show plain error, defendant must show not only error in failure to follow Rule 11 but also reasonable probability that but for error, he would not have entered a guilty plea). Further, having independently reviewed the record under *Penon v. Ohio*, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal. Accordingly, we grant counsel leave to withdraw and affirm.
