

United States Court of Appeals
For the Eighth Circuit

No. 26-1087

United States of America

Plaintiff - Appellee

v.

Timothy Michael Knauff

Defendant - Appellant

Appeal from United States District Court
for the District of Minnesota

Submitted: July 6, 2026

Filed: July 13, 2026

[Unpublished]

Before GRUENDER, BENTON, and SHEPHERD, Circuit Judges.

PER CURIAM.

Timothy Knauff appeals the below-Guidelines-range sentence the district court¹ imposed after he pleaded guilty to a drug offense pursuant to a written plea agreement

¹The Honorable Nancy E. Brasel, United States District Judge for the District of Minnesota.

containing an appeal waiver. His counsel has moved to withdraw, and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), arguing that an error exists in the presentence report, warranting correction, and that firearm-related Guidelines provisions are unconstitutional.

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 de novo the validity and applicability of an appeal waiver); *United States v. Andis*, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc) (stating that an appeal waiver will be enforced if the appeal falls within the scope of the waiver, the defendant knowingly and voluntarily entered into the plea agreement and the waiver, and enforcing the waiver would not result in a miscarriage of justice).

Having independently reviewed the record pursuant to *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 leave to withdraw and dismiss this appeal.
