

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 00-3940

United States of America,

Appellee,

v.

Gary D. Anderson,

Appellant.

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Appeal from the United States
District Court for the
Western District of Missouri.

[UNPUBLISHED]

Submitted: May 30, 2001

Filed: June 4, 2001

Before HANSEN, RICHARD S. ARNOLD, and FAGG, Circuit Judges.

PER CURIAM.

After Gary D. Anderson pleaded guilty to being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1), the district court¹ sentenced him to 57 months of imprisonment and 3 years of supervised release. On appeal, Anderson's counsel has filed a brief and moved to withdraw under Anders v. California, 386 U.S. 738 (1967), and Anderson has not filed a pro se supplemental brief.

¹The Honorable Gary A. Fenner, United States District Judge for the Western District of Missouri.

The only issue raised is ineffective assistance of counsel, which should be litigated in 28 U.S.C. § 2255 proceedings rather than this appeal. See United States v. Martin, 59 F.3d 767, 771 (8th Cir. 1995).

Having reviewed the record independently pursuant to Penson v. Ohio, 488 U.S. 75 (1988), we detect no nonfrivolous issues for appeal. Accordingly, we affirm the judgment of the district court, and we grant counsel's withdrawal motion.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.