

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 01-2752

United States of America,

Appellee,

v.

James C. Lewis, also know as
John B. Long, also known as
Mark E. Lewis,

Appellant.

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

[UNPUBLISHED]

Submitted: January 23, 2002

Filed: January 29, 2002

Before McMILLIAN, FAGG, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

After James C. Lewis 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 33 months imprisonment and 3 years supervised release. Counsel has filed a brief and has moved to withdraw under Anders v. California, 386 U.S. 738 (1967), arguing that

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

Mr. Lewis should receive credit for time he spent in a county jail before being indicted on the instant offense. Mr. Lewis, however, must first exhaust his administrative remedies by presenting his claim to the Bureau of Prisons. See United States v. Chappel, 208 F.3d 1069, 1069-70 (8th Cir. 2000) (per curiam); 28 C.F.R. §§ 542.10-542.19 (2001). Having reviewed the record independently under Penson v. Ohio, 488 U.S. 75 (1988), and having found no nonfrivolous issues, we grant counsel's motion to withdraw and affirm the judgment of the district court.

A true copy.

Attest:

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