

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 02-1266

United States of America,

Appellee,

v.

Casey L. Brown,

Appellant.

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Appeal from the United States
District Court for the
District of Nebraska.
[UNPUBLISHED]

Submitted: July 23, 2002

Filed: July 29, 2002

Before McMILLIAN, WOLLMAN, and LOKEN, Circuit Judges.

PER CURIAM.

Casey L. Brown pleaded guilty to conspiring to distribute and possess with intent to distribute 500 grams or more of a mixture containing methamphetamine, within 1,000 feet of a public school, in violation of 21 U.S.C. §§ 846, 860. The district court¹ sentenced him to 168 months' imprisonment and 10 years' supervised release. On appeal, Brown's attorney has filed a brief and has moved to withdraw

¹The Honorable Richard G. Kopf, Chief Judge, United States District Court for the District of Nebraska.

under Anders v. California, 386 U.S. 738 (1967). Brown has filed a pro se supplemental brief. We affirm Brown's conviction and sentence.

Specifically, we reject Brown's argument that the district court lacked jurisdiction, see United States v. Peck, 161 F.3d 1171, 1174 (8th Cir. 1998), and his pro se claim of ineffective assistance of counsel is not properly before us, see United States v. Martin, 59 F.3d 767, 771 (8th Cir. 1995). To the extent Brown is also arguing that he is entitled to reversal because his indictment is somehow defective, that argument fails as well. Finally, we note that Brown alludes to allegedly false information in his presentence report, but he does not specify the information.

Further, we have found no nonfrivolous issues for appeal upon our independent review pursuant to Penon v. Ohio, 488 U.S. 75 (1988). Accordingly, the judgment of the district court is affirmed. We grant counsel's motion to withdraw, and deny Brown's motion for a stay of the mandate. See Fed. R. App. P. 41(d)(2)(A).

A true copy.

Attest:

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