

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 02-1541

United States of America,

Appellee,

v.

Jose A. Campos, also known as Momia,

Appellant.

*
* Appeal from the United States
* District Court for the
* Northern District of Iowa.
*
* [UNPUBLISHED]
*
*
*

Submitted: August 2, 2002

Filed: August 7, 2002

Before LOKEN, BYE, and RILEY, Circuit Judges.

PER CURIAM.

Jose A. Campos appeals the sentence imposed by the district court¹ upon his guilty plea to conspiring to distribute 500 grams or more of a mixture containing methamphetamine, in violation of 21 U.S.C. § 846. Pursuant to Anders v. California, 386 U.S. 738 (1967), counsel has moved to withdraw and filed a brief raising two issues: (1) whether the elements of conspiracy to distribute methamphetamine were admitted by Campos in his guilty plea, and (2) whether Campos's sentence was within the Guidelines range based on the facts set forth in the presentence report.

¹The Honorable Mark W. Bennett, Chief Judge, United States District Court for the Northern District of Iowa.

As to the first point, the record reflects that at his guilty-plea hearing, Campos admitted to each of the elements of the conspiracy to distribute 500 grams or more of a mixture containing methamphetamine charged in the indictment. See Nguyen v. United States, 114 F.3d 699, 703 (8th Cir. 1997) (defendant's representations during plea-taking carry strong presumption of verity).

As to the second point, the record reflects that the district court sentenced Campos based on the unobjected-to presentence report and within the applicable Guidelines range, and thus the sentence is unreviewable on appeal. See United States v. Woodrum, 959 F.2d 100, 101 (8th Cir. 1992) (per curiam).

Having reviewed the record independently pursuant to Penson v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues.

Accordingly, we grant counsel's motion to withdraw, and we affirm.

A true copy.

Attest:

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