

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 05-1213

United States of America,

Appellee,

v.

Rashawn Chambers,
also known as Red,

Appellant.

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* Appeal from the United States
* District Court for the
* District of Nebraska.
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* [UNPUBLISHED]
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Submitted: October 6, 2005
Filed: October 20, 2005

Before MURPHY, COLLOTON, and BENTON, Circuit Judges.

PER CURIAM.

Rashawn Chambers pleaded guilty under Federal Rule of Criminal Procedure 11(c)(1)(C) to conspiring to distribute 50 grams or more of cocaine base, in violation of 21 U.S.C. § 846, and the district court¹ sentenced him to 120 months in prison and 5 years of supervised release. On appeal, his counsel has moved to withdraw and filed a brief under Anders v. California, 386 U.S. 738 (1967).

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

Counsel's sole argument is that the district court should have sentenced Chambers to less than 120 months in prison. However, Chambers cannot challenge this sentence because he expressly agreed to it as part of his plea agreement. See United States v. Reyes-Contreras, 349 F.3d 524, 525 (8th Cir. 2003) (per curiam); United States v. Nguyen, 46 F.3d 781, 783 (8th Cir. 1995). Moreover, 120 months in prison is the statutory minimum for the offense. See 21 U.S.C. § 841(b)(1)(A)(iii).

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