

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 05-2083

United States of America,

Appellee,

v.

Jonathon Stout,

Appellant.

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

[UNPUBLISHED]

Submitted: January 5, 2006
Filed: January 11, 2006

Before BYE, McMILLIAN, and RILEY, Circuit Judges.

PER CURIAM.

Jonathon Stout pleaded guilty to being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). His written plea agreement included an appeal waiver. The district court¹ sentenced him to the statutory minimum of 180 months in prison and 5 years of supervised release. See 18 U.S.C. § 924(e)(1). On appeal, Stout's counsel has moved to withdraw and filed a brief under Anders v. California, 386 U.S. 738 (1967), and Stout has filed a pro se supplemental brief.

¹The Honorable Scott O. Wright, United States District Judge for the Western District of Missouri.

After reading the briefs and reviewing the record independently under Penon v. Ohio, 488 U.S. 75 (1988), we dismiss this appeal on the basis of the appeal waiver in the plea agreement. See United States v. Andis, 333 F.3d 886, 889-90 (8th Cir.) (en banc) (criteria for enforcing appeal waiver), cert. denied, 540 U.S. 997 (2003); United States v. Estrada-Bahena, 201 F.3d 1070, 1071 (8th Cir. 2000) (per curiam) (enforcing appeal waiver in Anders case). We also grant counsel's motion to withdraw.
