

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 05-3014

United States of America,

Appellee,

v.

Roy Louis Taylor,

Appellant.

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Appeal from the United States
District Court for the District
of South Dakota.

[UNPUBLISHED]

Submitted: May 17, 2006

Filed: May 18, 2006

Before MELLOY, FAGG, and BENTON, Circuit Judges.

PER CURIAM.

Roy Louis Taylor pleaded guilty to engaging in a sexual act with another person who was physically incapable of declining participation, in violation of 18 U.S.C. §§ 1153, 2242(2), and 2246(2)(A). The district court* sentenced Taylor to 78 months in prison, 3 years of supervised release, and restitution in the amount of \$355. On appeal, Taylor's counsel has moved to withdraw and filed a brief under Anders v. California, 386 U.S. 738 (1967).

*The Honorable Charles B. Kornmann, United States District Judge for the District of South Dakota.

Taylor's plea agreement contains a valid appeal waiver. See United States v. Andis, 333 F.3d 886, 889-90 (8th Cir.) (en banc), cert. denied, 540 U.S. 997 (2003), and having reviewed the record independently for any nonfrivolous issues not covered by the appeal waiver, we find none. Accordingly, we enforce the waiver, dismiss this appeal, and grant counsel's motion to withdraw.
