

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 06-1433

United States of America,

Appellee,

v.

Raul Ramirez,

Appellant.

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Appeal from the United States
District Court for the
District of Nebraska.

[UNPUBLISHED]

Submitted: January 4, 2007
Filed: January 11, 2007

Before MURPHY, BYE, and MELLOY, Circuit Judges.

PER CURIAM.

Raul Ramirez appeals the 60-month sentence that the district court¹ imposed after he pleaded guilty to possessing a firearm during a drug-trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A)(i). Invoking Anders v. California, 386 U.S. 738 (1967), his counsel has moved to withdraw, filing a brief in which he raises a challenge to the sentence imposed.

¹The Honorable Joseph F. Bataillon, Chief Judge, United States District Court for the District of Nebraska.

Ramirez cannot challenge his sentence, however, because he specifically stipulated to it in his written plea agreement. See United States v. Nguyen, 46 F.3d 781, 783 (8th Cir. 1995) (defendant who explicitly and voluntarily exposes himself to specific sentence may not challenge that punishment on appeal). Further, having carefully reviewed the record in accordance with Penon v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues.

Accordingly, we affirm the judgment. We also grant counsel's motion to withdraw on condition that he show that he has informed Ramirez of the procedures for petitioning the Supreme Court for certiorari, in compliance with Part V of our plan to implement the Criminal Justice Act.
