

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 11-2740

United States of America,

Appellee,

v.

Joanna M. Price,

Appellant.

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

[UNPUBLISHED]

Submitted: February 29, 2012

Filed: March 8, 2012

Before MURPHY, ARNOLD, and SHEPHERD, Circuit Judges.

PER CURIAM.

Under the terms of a written plea agreement that contained an appeal waiver, Joanna Price pleaded guilty to making a false statement during a firearm purchase, in violation of 18 U.S.C. § 924(a)(1)(A). The district court¹ imposed a sentence of 12 months and 1 day in prison, and 2 years of supervised release. Defense counsel has submitted a brief under Anders v. California, 386 U.S. 738 (1967), in which she moves to withdraw.

¹The Honorable Ortrie D. Smith, United States District Judge for the Western District of Missouri.

We conclude that the appeal waiver should be enforced as to all issues in this appeal. See United States v. Andis, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc) (court should enforce appeal waiver and dismiss appeal where appeal falls within scope of waiver, both plea agreement and waiver were entered into knowingly and voluntarily, and no miscarriage of justice would result); see also United States v. Estrada-Bahena, 201 F.3d 1070, 1071 (8th Cir. 2000) (per curiam) (enforcing appeal waiver in Anders case).

Having independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), we have found no nonfrivolous issue not covered by the waiver. Accordingly, we dismiss this appeal and grant counsel's motion to withdraw, subject to counsel informing Ms. Price about procedures for seeking rehearing or filing a petition for certiorari.
