

United States Court of Appeals
For the Eighth Circuit

No. 14-3088

United States of America

Plaintiff - Appellee

v.

Courtney D. Bradley

Defendant - Appellant

Appeal from United States District Court
for the Western District of Arkansas - El Dorado

Submitted: January 29, 2015

Filed: February 5, 2015

[Unpublished]

Before LOKEN, COLLOTON, and KELLY, Circuit Judges.

PER CURIAM.

Courtney Bradley directly appeals after he pleaded guilty to a federal drug charge, and the district court¹ sentenced him below the calculated Guidelines range.

¹The Honorable Susan O. Hickey, United States District Judge for the Western District of Arkansas.

His counsel has moved to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967). Bradley has filed a pro se supplemental brief challenging his sentence and raising claims of ineffective assistance of counsel.

After careful de novo review, see United States v. Scott, 627 F.3d 702, 704 (8th Cir. 2010), we will enforce the appeal waiver because (1) Bradley's testimony at the plea hearing shows that he entered into both the plea agreement and the waiver knowingly and voluntarily, see Nguyen v. United States, 114 F.3d 699, 703 (8th Cir. 1997); (2) all issues raised in this appeal fall within the scope of the waiver; and (3) no miscarriage of justice would result from enforcing the waiver. See United States v. Andis, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc).

Further, having independently reviewed the record pursuant to Penson v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues outside the scope of the appeal waiver. This appeal is dismissed, and counsel's motion to withdraw is granted. We direct counsel to inform appellant about the procedures for filing a petition for rehearing and for certiorari.
