

United States Court of Appeals  
For the Eighth Circuit

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No. 16-1469

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United States of America

*Plaintiff - Appellee*

v.

Markeith Deshun Thomas

*Defendant - Appellant*

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Appeal from United States District Court  
for the Eastern District of Arkansas - Little Rock

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Submitted: August 2, 2016

Filed: August 8, 2016

[Unpublished]

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Before LOKEN, BENTON, and KELLY, Circuit Judges.

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PER CURIAM.

Markeith Deshun Thomas directly appeals the sentence imposed by the district court<sup>1</sup> after he pled guilty to possessing and selling stolen firearms in violation of 18

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<sup>1</sup>The Honorable J. Leon Holmes, United States District Judge for the Eastern District of Arkansas.

U.S.C. §§ 922(j) and 924(a)(2). His counsel has moved to withdraw and filed a brief under *Anders v. California*, 386 U.S. 738 (1967). Having jurisdiction under 28 U.S.C. § 1291, this court dismisses the appeal.

Thomas's appeal waiver should be enforced and prevents consideration of his claim. *See United States v. Scott*, 627 F.3d 702, 704 (8th Cir. 2010) (de novo review of validity and applicability of appeal waiver); *United States v. Andis*, 333 F.3d 886, 889-90 (8th Cir. 2003) (en banc) (court should enforce appeal waiver and dismiss appeal where it falls within scope of waiver, plea agreement and waiver were entered into knowingly and voluntarily, and no miscarriage of justice would result). An independent review of the record under *Penson v. Ohio*, 488 U.S. 75 (1988), reveals no non-frivolous issues for appeal.

The appeal is dismissed and counsel's motion to withdraw is granted.

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