

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 98-3579

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United States of America,

Appellee,

v.

Gerald D. Scurlock,

Appellant.

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

[UNPUBLISHED]

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Submitted: April 7, 1999

Filed: April 13, 1999

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Before BEAM, LOKEN, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

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PER CURIAM.

Gerald D. Scurlock pleaded guilty to being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). The district court<sup>1</sup> sentenced Mr. Scurlock to 27 months imprisonment and three years supervised release. On appeal, counsel filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), arguing that the district court imposed too harsh a sentence. We note Mr. Scurlock's sentence falls at the bottom of the Guidelines range to which the parties stipulated in their plea agreement,

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<sup>1</sup>The Honorable D. Brook Bartlett, Chief Judge, United States District Court for the Western District of Missouri.

see United States v. Nguyen, 46 F.3d 781, 783 (8th Cir. 1995) (defendant who explicitly and voluntarily exposes self to specific sentence may not challenge his sentence on appeal), and in any event, the argument lacks merit, see Neal v. Grammer, 975 F.2d 463, 465 (8th Cir. 1992).

In accordance with Penson v. Ohio, 488 U.S. 75, 80 (1988), we have reviewed the record for any nonfrivolous issues and have found none.

Accordingly, we affirm.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.