

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

Nos. 07-3300/3410

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| United States of America, | * |
| | * |
| Appellee, | * |
| | * |
| v. | * Appeals from the United States |
| | * District Court for the |
| | * Eastern District of Missouri. |
| Pierre Starks, also known as Pep, | * |
| | * [UNPUBLISHED] |
| Appellant. | * |

Submitted: February 4, 2009
Filed: February 25, 2009

Before WOLLMAN, MURPHY, and MELLOY, Circuit Judges.

PER CURIAM.

Pierre Starks appeals the 188-month prison sentence the district court¹ imposed after he pleaded guilty to three drug charges. In these appeals, Starks's counsel has moved to withdraw and has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967), arguing that Starks's sentence was unreasonable.

Upon careful review, we conclude that these appeals fall within the scope of a valid appeal waiver that was contained in Starks's written plea agreement, that he

¹The Honorable Catherine D. Perry, United States District Judge for the Eastern District of Missouri.

knowingly and voluntarily entered into the plea agreement and the appeal waiver, and that enforcing the appeal waiver would not cause a miscarriage of justice. See United States v. Andis, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc) (discussing enforceability of appeal waiver); see also United States v. Estrada-Bahena, 201 F.3d 1070, 1071 (8th Cir. 2000) (per curiam) (enforcing appeal waiver in Anders case).

After reviewing the record independently under Penon v. Ohio, 488 U.S. 75 (1988), and finding no non-frivolous issues not covered by the waiver, we enforce the waiver and dismiss these appeals. We grant counsel's motion to withdraw on condition that counsel inform Starks about the procedures for filing petitions for rehearing and for certiorari.
