

United States Court of Appeals
For the Eighth Circuit

No. 18-3036

United States of America

Plaintiff - Appellee

v.

Lorenzo Soto-Zazueta

Defendant - Appellant

Appeal from United States District Court
for the District of Minnesota

Submitted: June 18, 2019

Filed: July 2, 2019

[Unpublished]

Before KELLY, BOWMAN, and GRASZ, Circuit Judges.

PER CURIAM.

Lorenzo Soto-Zazueta directly appeals after he pled guilty to a drug offense, under a plea agreement containing an appeal waiver, and the district court¹ sentenced

¹The Honorable Wilhelmina M. Wright, United States District Judge for the District of Minnesota.

him to a prison term below the calculated United States Sentencing Commission Guidelines Manual range. His counsel has moved to withdraw, and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), addressing enforcement of the plea waiver and reasonableness of the sentence.

Upon careful de novo review, we conclude the appeal waiver is valid, applicable, and enforceable. See *United States v. Dallman*, 886 F.3d 1277, 1280 (8th Cir. 2018) (“We review de novo issues concerning the interpretation and enforcement of a plea agreement and the application of appeal waivers.”); *United States v. Andis*, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc) (appeal waiver will be enforced if appeal falls within scope of waiver, defendant knowingly and voluntarily entered into plea agreement and waiver, and enforcing waiver would not result in miscarriage of justice). We have also independently reviewed the record under *Penson v. Ohio*, 488 U.S. 75 (1988), and have found no non-frivolous issues for appeal outside the scope of the appeal waiver. Accordingly, we enforce the appeal waiver, dismiss this appeal, and grant counsel leave to withdraw.
