

United States Court of Appeals
For the Eighth Circuit

No. 21-3721

United States of America

Plaintiff - Appellee

v.

Kelton D. Reeves

Defendant - Appellant

Appeal from United States District Court
for the Western District of Missouri - Springfield

Submitted: June 30, 2022

Filed: July 6, 2022

[Unpublished]

Before LOKEN, COLLOTON, and KELLY, Circuit Judges.

PER CURIAM.

Kelton Reeves appeals the sentence imposed by the district court¹ after he pleaded guilty to drug and firearm offenses, pursuant to a plea agreement that

¹The Honorable M. Douglas Harpool, United States District Judge for the Western District of Missouri.

includes an appeal waiver. His counsel has moved to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), challenging the sentence and raising an ineffective assistance of counsel claim.

Upon careful review, we conclude that the appeal waiver is valid, enforceable, and applicable to any potential sentencing issues raised in this appeal. See United States v. Scott, 627 F.3d 702, 704 (8th Cir. 2010); United States v. Andis, 333 F.3d 886, 889-92 (8th Cir. 2003) (en banc). We also conclude that Reeves cannot pursue any ineffective assistance of counsel claims on direct appeal, as the record is not fully developed. See United States v. Oliver, 950 F.3d 556, 566 (8th Cir. 2020). 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 dismiss the appeal, we grant counsel's motion to withdraw, and we deny the request for appointment of new appellate counsel as moot.
