

United States Court of Appeals
For the Eighth Circuit

No. 24-3091

United States of America

Plaintiff - Appellee

v.

Esteban E. Manale

Defendant - Appellant

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

Submitted: June 12, 2025

Filed: June 17, 2025

[Unpublished]

Before SHEPHERD, ERICKSON, and GRASZ, Circuit Judges.

PER CURIAM.

Esteban Manale appeals the below-Guidelines sentence the district court¹ imposed after he pled guilty to three counts of distributing child sexual abuse material

¹The Honorable Beth Phillips, Chief Judge, United States District Court for the Western District of Missouri.

pursuant to a written plea agreement with an appeal waiver. His counsel has moved for leave to withdraw, and has filed a brief under *Anders v. California*, 386 U.S. 738 (1967), challenging the political nature of the Guidelines and the substantive reasonableness of the sentence.

Upon careful review, we conclude that the appeal waiver is valid, applicable, and enforceable, and that Manale's challenges to his sentence fall within the waiver. *See United States v. Scott*, 627 F.3d 702, 704 (8th Cir. 2010) (reviewing de novo the validity and applicability of an appeal waiver). The record reflects that Manale entered into the plea agreement and appeal waiver knowingly and voluntarily, and enforcing the waiver will not result in a miscarriage of justice. *See United States v. Andis*, 333 F.3d 886, 889–92 (8th Cir. 2003) (en banc) (discussing the enforceability of appeal waivers). We have 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 grant counsel's motion to withdraw and dismiss this appeal based on the appeal waiver.
