

United States Court of Appeals  
For the Eighth Circuit

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No. 17-3304

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United States of America

*Plaintiff - Appellee*

v.

Tyrone Anderson

*Defendant - Appellant*

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Appeal from United States District Court  
for the Eastern District of Arkansas - Little Rock

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Submitted: June 29, 2018

Filed: July 5, 2018

[Unpublished]

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Before LOKEN, BOWMAN, and GRUENDER, Circuit Judges.

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PER CURIAM.

In this direct criminal appeal, Tyrone Anderson challenges the sentence the district court<sup>1</sup> imposed after he pleaded guilty to a drug charge, pursuant to a written

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<sup>1</sup>The Honorable James M. Moody, Jr., United States District Judge for the Eastern District of Arkansas.

plea agreement. His counsel has moved to withdraw and submitted a brief under Anders v. California, 386 U.S. 738 (1967), discussing whether Anderson entered a voluntary guilty plea; and whether he should have been sentenced as a career offender.

We conclude that Anderson's guilty plea was valid because he stated at the plea hearing that he understood the terms of the agreement, and that he entered into the guilty plea willingly, see Nguyen v. United States, 114 F.3d 699, 703 (8th Cir. 1997); and that the career-offender provision was properly applied based on his convictions for two controlled substance offenses, see U.S.S.G. § 4B1.1(a) (defining career offender). Furthermore, we have independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), and have found no non-frivolous issues for appeal .

Accordingly, we grant counsel's motion, and we affirm.

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(4:15-cr-00169-JM-2)

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**ORDER**

The petition for rehearing by the panel is denied.

August 15, 2018

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans

**Additional material  
from this filing is  
available in the  
Clerk's Office.**