

United States Court of Appeals
For the Eighth Circuit

No. 17-3304

United States of America

Plaintiff - Appellee

v.

Tyrone Anderson

Defendant - Appellant

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

Submitted: June 29, 2018

Filed: July 5, 2018

[Unpublished]

Before LOKEN, BOWMAN, and GRUENDER, Circuit Judges.

PER CURIAM.

In this direct criminal appeal, Tyrone Anderson challenges the sentence the district court¹ imposed after he pleaded guilty to a drug charge, pursuant to a written

¹The 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)

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.

/s/ Michael E. Gans

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