United States Court of Appeals
For the Eighth Circuit

No. 20-3331

United States of America

Plaintiff - Appellee

v.

Luis Garcia, Jr.

Defendant - Appellant

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

Submitted: May 17, 2021
Filed: May 28, 2021
[Unpublished]

Before LOKEN, MELLOY, and KOBES, Circuit Judges.

PER CURIAM.

Luis Garcia, Jr., appeals after he pleaded guilty to a drug offense and the district court[1] imposed an 80-month prison sentence. His counsel has moved for

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

leave to withdraw, and has filed a brief under Anders v. California, 386 U.S. 738 (1967), questioning the substantive reasonableness of the sentence, and relaying that Garcia contends he received ineffective assistance of counsel.

Before sentencing, the parties jointly recommended an 80-month prison term, and defense counsel argued in favor of the recommendation at the sentencing hearing. Because the court imposed the recommended sentence, we conclude Garcia's reasonableness challenge is foreclosed. See United States v. Thompson, 289 F.3d 524, 526 (8th Cir. 2002) ("On appeal, [defendant] cannot complain that the district court gave him exactly what his lawyer asked."). Further, we defer any claims of ineffective assistance of counsel for collateral proceedings. See United States v. McAdory, 501 F.3d 868, 872 (8th Cir. 2007) (this court ordinarily defers ineffective-assistance claims to 28 U.S.C. § 2255 proceedings).

Having independently reviewed the record pursuant to Penson v. Ohio, 488 U.S. 75 (1988), we find no nonfrivolous issues for appeal. Accordingly, we grant counsel's motion, and affirm.
