

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with
Fed. R. App. P. 32.1

United States Court of Appeals

**For the Seventh Circuit
Chicago, Illinois 60604**

Submitted August 18, 2009

Decided November 4, 2009

Before

ANN CLAIRE WILLIAMS, *Circuit Judge*

DIANE S. SYKES, *Circuit Judge*

JOHN DANIEL TINDER, *Circuit Judge*

No. 08-3607

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

MICHAEL TERRELL WILLIAMS,
Defendant-Appellant.

Appeal from the United States District
Court for the Northern District of Indiana,
South Bend Division.

No. 3:07-cr-00133-RLM-CAN-1

Robert L. Miller, Jr.,
Chief Judge.

ORDER

Michael Williams pleaded guilty to possessing marijuana with intent to distribute, *see* 21 U.S.C. § 841(a)(1), and using a firearm in furtherance of the drug offense, *see* 18 U.S.C. § 924(c). As part of his plea agreement Williams waived his right to appeal, and the district court sentenced him to 192 months' imprisonment. Williams appealed anyway, but his appointed counsel have moved to withdraw because they cannot discern a nonfrivolous

basis for appeal. *See Anders v. California*, 386 U.S. 738 (1967). Williams has not responded to our invitation to comment on counsel's motion. *See* CIR. R. 51(b). Our review is confined to the potential issues identified in counsel's facially adequate supporting brief. *See United States v. Schuh*, 289 F.3d 968, 973-74 (7th Cir. 2002).

Williams does not want his guilty plea set aside, so counsel correctly refrained from examining the adequacy of the plea colloquy or voluntariness of the plea. *See United States v. Knox*, 287 F.3d 667, 670-72 (7th Cir. 2002). The plea agreement and appeal waiver are thus enforceable, *see Nunez v. United States*, 546 F.3d 450, 454-55 (7th Cir. 2008); *United States v. Wilson*, 481 F.3d 475, 483 (7th Cir. 2007), rendering this appeal frivolous.

Accordingly, we GRANT counsel's motion to withdraw and DISMISS the appeal.