

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 09-15351

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT APRIL 11, 2011 JOHN LEY CLERK

D. C. Docket No. 02-00027-CR-RWS-2

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MICKEY ALEXANDER PETERSON,
a.k.a. Mickey Alexander Petersen,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Georgia

(April 11, 2011)

Before MARTIN, FAY and BLACK, Circuit Judges.

PER CURIAM:

Mickey Alexander Peterson appeals the district court's denial of his motion to waive the interest imposed on his restitution payment. After oral argument, review of the record, and the parties' briefs, we affirm.

We have determined, and Peterson does not dispute, that the District Judge advised Peterson about the meaning and effect of the appeal waiver at the time he entered his plea of guilty. The plea agreement stated Peterson "voluntarily and expressly waives the right to appeal his sentence . . . on any ground, except that the defendant may file a direct appeal if the sentence imposed contains a term of imprisonment in excess of twenty-five (25) years." Peterson's plea agreement also stated he agreed to "pay any fine and/or restitution imposed by the Court." The restitution includes any interest imposed by statute. *See* 18 U.S.C. § 3612(f). Therefore, the appeal-waiver provision in Peterson's plea agreement covers appeals regarding interest payments on restitution.

AFFIRMED