

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 17-13194
Non-Argument Calendar

D.C. Docket No. 8:16-cr-00222-MSS-JSS-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

FRANK PANNULLO

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida

(January 29, 2018)

Before WILLIAM PRYOR, MARTIN and JILL PRYOR, Circuit Judges.

BY THE COURT:

The Government's motion to dismiss this appeal pursuant to the appeal waiver in Appellant's plea agreement is GRANTED. *See United States v. Bushert*, 997 F.2d 1343, 1350-51 (11th Cir. 1993) (sentence appeal waiver will be enforced

if it was made knowingly and voluntarily); *Williams v. United States*, 396 F.3d 1340, 1342 (11th Cir. 2005) (defendant cannot avoid application of an appeal waiver by recasting a sentencing challenge as an ineffective-assistance-of-counsel claim).