

[DO NOT PUBLISH]

In the  
United States Court of Appeals  
For the Eleventh Circuit

---

No. 23-13466

Non-Argument Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

*versus*

FRANK MCDONALD, JR.,

Defendant-Appellant.

---

Appeal from the United States District Court  
for the Middle District of Georgia  
D.C. Docket No. 7:22-cr-00024-WLS-TQL-1

---

Before JILL PRYOR, BRANCH, and LAGOA, Circuit Judges.

PER CURIAM:

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, 1351 (11th Cir. 1993) (sentence appeal waiver will be enforced if it was made knowingly and voluntarily); *United States v. Boyd*, 975 F.3d 1185, 1191-92 (11th Cir. 2020) (sentence appeal waiver will be enforced where it conveys to the defendant he is giving up his right to appeal under most circumstances); *United States v. Weaver*, 275 F.3d 1320, 1323-24, 1333 (11th Cir. 2001) (an appeal waiver is enforceable when the waiver was referenced during the plea colloquy and the defendant confirmed that he understood the provision and had entered into it freely and voluntarily); *United States v. Gonzalez-Mercado*, 808 F.2d 796, 800 n.8 (11th Cir. 1987) (there is a strong presumption that the defendant's statements during a plea colloquy are true.).