

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 23-13536

Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DAVID ZAVALA,
a.k.a. Toro,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Georgia
D.C. Docket No. 3:19-cr-00059-CAR-CHW-1

Before BRANCH, LUCK, and ANDERSON, 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) (holding that a sentence appeal waiver will be enforced if it was made knowingly and voluntarily); *United States v. Boyd*, 975 F.3d 1185, 1192 (11th Cir. 2020) (providing that the touchstone for assessing whether an appeal waiver was knowing and voluntary is whether it was clearly conveyed to the defendant that he was giving up his right to appeal under most circumstances).