

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-10044

Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JANER ARMANDO SIBAJA,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 8:20-cr-00341-VMC-LSG-6

Before NEWSOM, BRANCH, and KIDD, 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, 1345, 1350–51 (11th Cir. 1993) (holding that we will enforce sentence appeal waivers if they are made “knowingly and voluntarily”); *United States v. Boyd*, 975 F.3d 1185, 1192 (11th Cir. 2020) (noting that the “touchstone” for assessing if a sentence appeal waiver was made knowingly and voluntarily is whether it was clearly conveyed to the defendant that he was giving up his right to appeal under most circumstances); *United States v. Weaver*, 275 F.3d 1320, 1333 (11th Cir. 2001) (concluding that an appeal waiver was enforceable where the court referenced the waiver provision during the plea colloquy and the defendant confirmed that he understood the waiver provision and entered into it voluntarily and freely).