

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-11238
Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RACHAEL BYRD,

a.k.a. Byrd is the Word,
a.k.a. Rachael NeSmith,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Georgia
D.C. Docket No. 2:22-cr-00026-LGW-BWC-4

Before ROSENBAUM, GRANT, 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, 1350–51 (11th Cir. 1993) (holding that a sentence-appeal waiver will be enforced if it was made knowingly and voluntarily); *United States v. Bascomb*, 451 F.3d 1292, 1297 (11th Cir. 2006) (stating that an appeal waiver “cannot be vitiated or altered by comments the court makes during sentencing”); *United States v. Grinard-Henry*, 399 F.3d 1294, 1296 (11th Cir. 2005) (explaining that waiver of the right to appeal includes waiver of the right to appeal difficult or debatable legal issues or even blatant error).