

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-11916
Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RICHARD SALVADOR VELASQUEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Alabama
D.C. Docket No. 2:24-cr-00062-TFM-MU-2

Before JILL PRYOR, 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, 1350–51 (11th Cir. 1993)

(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) (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) (waiver of the right to appeal includes waiver of the right to appeal difficult or debatable legal issues or even blatant error); *see also Hunter v. United States*, 146 S. Ct. 1702, 1710–15 (2026) (adopting a miscarriage of justice exception to the enforceability of appeal waivers and rejecting the argument that a district court’s misstatement at sentencing as to defendant’s appeal rights, and government’s silence as to the error, vitiated a knowing and voluntary appeal waiver).