

NOT FOR PUBLICATION

In the  
United States Court of Appeals  
For the Eleventh Circuit

---

No. 25-12380  
Non-Argument Calendar

---

UNITED STATES OF AMERICA,

*Plaintiff-Appellee,*

*versus*

YESID AVILA DIAZ,

*Defendant-Appellant.*

---

Appeal from the United States District Court  
for the Southern District of Florida  
D.C. Docket No. 1:17-cr-20887-KMM-4

---

Before JORDAN, KIDD, and ANDERSON, Circuit Judges.

PER CURIAM:

The Government's motion to dismiss this appeal as barred by Appellant's guilty plea and sentence appeal waiver 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. 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); *United States v. Sanfilippo*, 91 F.4th 1380, 1383 (11th Cir. 2024) (statute of limitations defense is a non-jurisdictional defect because it must be asserted by a defendant at trial); *United States v. Helmich*, 704 F.2d 547, 548 (11th Cir. 1983) (defendant who pleads guilty can challenge their prosecution as time barred only insofar as the indictment on its face shows that the limitations period expired).