

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-14481
Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JONATHAN RAFAEL ORTEGA-MARTINEZ,

a.k.a. Jonathan Ortega-Martinez,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 8:24-cr-00542-SDM-AEP-2

Before JORDAN, JILL PRYOR, AND BRANCH, Circuit Judges.

PER CURIAM:

The government's motion to dismiss this appeal pursuant to the sentence-appeal waiver in Ortega-Martinez'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. Grinard-Henry*, 399 F.3d 1294, 1296 (11th Cir. 2005) (explaining that a waiver of the right to appeal includes waiver of the right to appeal difficult or debatable legal issues or even blatant error). This case does not present any “miscarriage of justice” that makes the appeal waiver unenforceable because the district court’s 120-month sentence was within the advisory Sentencing Guidelines range and below the 180-month statutory maximum sentence. See *United States v. Hunter*, 146 S.Ct. 1702, 1713 (2026) (explaining that “miscarriage of justice” is a “high bar” which applies when “the sentence is marred by the kind of egregious error that would bring the judicial system into disrepute”).

APPEAL DISMISSED.