

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT
August 29, 2018
BCO-109

No. 18-2601

UNITED STATES OF AMERICA

v.

AMEEN GREEN,
a/k/a SHOOTER

AMEEN GREEN,
Appellant

(E.D. Pa. No. 2-17-cr-00651-001)

Present: RESTREPO, BIBAS and NYGAARD, Circuit Judges

1. Motion by Appellee USA to enforce appellate waiver and for summary affirmance;
2. Response by Appellant Ameen Green to Motion to enforce appellate waiver and for summary affirmance.

Respectfully,
Clerk/JK

ORDER

Appellant Ameen Green has filed a pro se notice of appeal. The Government moves for summary affirmance because Green's plea agreement contained an appellate waiver. Unless enforcing the waiver would result in a miscarriage of justice, it should be enforced as agreed to. "Waivers of appeals, if entered into knowingly and voluntarily, are valid, unless they work a miscarriage of justice." *United States v. Khattak*, 273 F.3d 557, 563 (3d Cir. 2001). We have reviewed the plea agreement and transcript of the change of plea hearing and it is clear that enforcing the appellate waiver will not result in a miscarriage of justice. We could not find an error on this record by the District Court that would have prejudiced Green. Moreover, Green agreed with the Government's description of his crimes and, as was discussed, knowingly and voluntarily signed the

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appellate waiver before pleading guilty to the offense charged. For these reasons then, we dismiss Green's appeal and summarily affirm the judgment of the District Court.

It is so ordered.

By the Court,

s/Richard L. Nygaard
Circuit Judge

Dated: September 4, 2018

CJG/cc: Nancy B. Winter, Esq.
Salvatore C. Adamo, Esq.

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