

No. _____

In The
Supreme Court of the United States

MICHAEL HARRISON LOWMAN, JR.,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Fourth Circuit

APPENDIX

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APPENDIX:

Fourth Circuit Order and Judgment A-1

U.S. District Court Judgment A-3

FILED: November 6, 2019

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-4103

(1:17-cr-00128-MR-WCM-1)

UNITED STATES OF AMERICA,
Plaintiff - Appellee,

v.

MICHAEL HARRISON LOWMAN, JR.
a/k/a Mellie L,
Defendant - Appellant.

O R D E R

Michael Harrison Lowman, Jr., seeks to appeal his sentence. The Government has moved to dismiss the appeal as barred by Lowman's waiver of the right to appeal included in the plea agreement. Upon review of the plea agreement and the Fed. R. Crim. P. 11 inquiry, we conclude that Lowman knowingly and voluntarily waived his right to appeal and that the issue Lowman seeks to raise on appeal falls squarely within the compass of his waiver of appellate rights. Accordingly, we grant the Government's motion to dismiss.

Entered at the direction of the panel: Judge Niemeyer, Judge Wynn, and Judge Quattlebaum.

For the Court

/s/ Patricia S. Connor, Clerk

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No. 19-4103
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UNITED STATES OF AMERICA
Plaintiff - Appellee
v.
MICHAEL HARRISON LOWMAN, JR.,
a/k/a Mellie L
Defendant - Appellant

J U D G M E N T

In accordance with the decision of this court,
this appeal is dismissed.

This judgment shall take effect upon issuance
of this court's mandate in accordance with Fed. R.
App. P. 41.

/s/ PATRICIA S. CONNOR, CLERK

UNITED STATES DISTRICT COURT
Western District of North Carolina

UNITED STATES OF AMERICA
V.
MICHAEL HARRISON LOWMAN, JR.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After
November 1, 1987)

Wesley Steven White
Defendant's Attorney

Case Number: DNCW117CR000128-001
USM Number: 33894-058

THE DEFENDANT:

X Plead guilty to count 1.

ACCORDINGLY, the court has adjudicated that the
defendant is guilty of the following offense:

Title and Section: 18 U.S.C. § 2251(a)

Nature of Offense: Coerce Minor to Engage in
Sexually Explicit Conduct

Date Offense Concluded: 1/1/2017

Counts: 1

The Defendant is sentenced as provided in
pages 2 through 8 of this judgment. The sentence is

imposed pursuant to the Sentencing Reform Act of 1984, United States v. Booker, 125 S.Ct. 738 (2005), and 18 U.S.C. § 3553(a).

X Counts 2 & 3 are dismissed on the motion of the United States.

IT IS ORDERED that the Defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: 1/3/2019

Signed: January 23, 2019

/s/ Martin Reidinger
United States District Judge