

## APPENDIX

## **INDEX**

1. United States of America v. Malik Timbers, Case No: 19-15022-HH (11<sup>th</sup> Circuit, May 5, 2020) (unpublished)
2. Order Denying TIMBERS' Petition for Rehearing and Petition For Rehearing *En Banc* Case No: 19-15022-HH (July 9, 2020)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 3<sup>rd</sup> day of August, 2020, to the SOLICITOR GENERAL OF THE UNITED STATES, Room 5614, Department of Justice, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530-0001.

Respectfully submitted,

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By /s/ David J. Joffe  
DAVID J. JOFFE, ESQUIRE  
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[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 19-15022  
Non-Argument Calendar

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D.C. Docket No. 2:18-cr-00190-SPC-MRM-7

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MALIK TIMBERS,  
a.k.a. Queso,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Middle District of Florida

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(May 5, 2020)

Before JORDAN, JILL PRYOR, and NEWSOM, Circuit Judges.

PER CURIAM:

The Government's motion to dismiss this appeal pursuant to the appeal  
waiver in Timbers'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).

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IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 19-15022-HH

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MALIK TIMBERS,  
a.k.a. Queso,

Defendant - Appellant.

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Appeal from the United States District Court  
for the Middle District of Florida

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**ON PETITION(S) FOR REHEARING AND PETITION(S) FOR REHEARING EN BANC**

BEFORE: JORDAN, JILL PRYOR, and NEWSOM, Circuit Judges.

PER CURIAM:

The Petition for Rehearing En Banc is DENIED, no judge in regular active service on the Court having requested that the Court be polled on rehearing en banc. (FRAP 35) The Petition for Panel Rehearing is also denied. (FRAP 40)

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