

No. \_\_\_\_\_

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In The  
**Supreme Court of the United States**

**RYAN KENNETH RICHMOND,**  
*Petitioner,*

v.

**UNITED STATES OF AMERICA,**  
*Respondent.*

ON PETITION FOR WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**APPENDIX TO**  
**PETITION FOR WRIT OF CERTIORARI**

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## **TABLE OF CONTENTS**

### **Appendix**

**Page:**

#### **Order**

U.S. Court of Appeals for the Fourth Circuit  
entered October 19, 2021 ..... Appendix A

#### **Judgment**

U.S. Court of Appeals for the Fourth Circuit  
entered October 19, 2021 ..... Appendix B

FILED: October 19, 2021

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 21-4077  
(1:20-cr-00146-CCE-1)**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RYAN KENNETH RICHMOND, a/k/a Rich,

Defendant - Appellant.

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**O R D E R**

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Ryan Kenneth Richmond seeks to appeal his sentence. The Government has moved to dismiss the appeal as barred by Richmond's waiver of the right to appeal included in the plea agreement. Upon review of the plea agreement and the transcript of the Fed. R. Crim. P. 11 hearing, we conclude that Richmond knowingly and voluntarily waived his right to appeal and that the issues Richmond seeks to raise on appeal fall squarely within the scope

**APPENDIX A**

of his waiver of appellate rights.\* Accordingly, we grant the Government's motion to dismiss.

Entered at the direction of Judge Motz and Judge King. Judge Thacker would defer ruling until the merits briefing.

For the Court

/s/ Patricia S. Connor, Clerk

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\* We reject Richmond's argument, premised on *United States v. Goodman*, 165 F.3d 169, 174-75 (2d Cir. 1999), that the appellate waiver should not be enforced because he did not receive a sufficient benefit in exchange for his promise not to appeal. The binding precedent in this Circuit is contrary to *Goodman*, and Richmond's argument. See *United States v. Archie*, 771 F.3d 217, 221 (4th Cir. 2014) ("[T]he [appeal] waiver will be enforced . . . if . . . the issue being appealed is within the scope of the waiver."); *United States v. Manigan*, 592 F.3d 621, 627 ("[W]e will enforce [a waiver of appellate rights] if it is valid and if the issue sought to be appealed is within its scope.").

FILED: October 19, 2021

UNITED STATES COURT OF APPEALS  
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UNITED STATES OF AMERICA

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Defendant - Appellant

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JUDGMENT

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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

**APPENDIX B**