

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

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

**BRIAN KEITH PERSON, JR.,**

*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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FILED: June 08, 2023

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 21-4450  
(4:19-cr-00010-FL-1)**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BRIAN KEITH PERSON, JR.,

Defendant - Appellant.

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**O R D E R**

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Brian Keith Person, Jr., seeks to appeal his conviction and sentence. The Government has moved to dismiss the appeal as barred by Person's waiver of the right to appeal included in the plea agreement. Upon review of the record, we conclude that Person knowingly and voluntarily pleaded guilty and waived his right to appeal. We further conclude that the sentencing issue Person seeks to raise on appeal falls squarely within the scope of his waiver of appellate rights. Accordingly, we grant the Government's motion to dismiss.

**APPENDIX A**

Entered at the direction of the panel: Chief Judge Gregory, Judge Niemeyer, and Judge Rushing.

For the Court

/s/ Patricia S. Connor, Clerk

FILED: June 8, 2023

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 21-4450  
(4:19-cr-00010-FL-1)

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UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

BRIAN KEITH PERSON, JR.

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