

FILED: January 19, 2018

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-4213
(1:15-cr-00322-MJG-1)

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

HARRY CRAWFORD,

Defendant - Appellant.

O R D E R

Harry Crawford seeks to appeal his sentence. The Government has moved to dismiss the appeal as barred by Crawford'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 Crawford knowingly and voluntarily waived his right to appeal and that his challenge to the application of the murder cross-reference falls squarely within the scope of his waiver of appellate rights. Although the appellate waiver excludes a challenge to the application of the death departure, we conclude that Crawford has

abandoned that claim on appeal. Accordingly, we grant the Government's motion to dismiss and dismiss the appeal.

Entered at the direction of the panel: Judge Motz, Judge Diaz, and Judge Thacker.

For the Court

/s/ Patricia S. Connor, Clerk