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IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 2025

DAVID WALTER MCCAULEY, Petitioner,

v.

UNITED STATES OF AMERICA, Respondent

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

L. RICHARD WALKER
First Assistant
Federal Public Defender's Office
For the Northern District of WV
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FILED: February 26, 2026

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-4352
(2:24-cr-00039-TSK-JPM-1)

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAVID WALTER MCCAULEY,

Defendant - Appellant.

O R D E R

David Walter McCauley seeks to appeal his 120 month-sentence imposed pursuant to his guilty plea to possession of child pornography, [18 U.S.C. § 2252A\(a\)\(5\)\(B\)](#), [\(b\)\(2\)](#). The Government has moved to dismiss the appeal as barred by McCauley's waiver of the right to appeal included in the plea agreement. Upon review of the record, we conclude that McCauley knowingly and voluntarily waived his right to appeal and that the issue McCauley seeks to raise on appeal fall squarely within the scope 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 Quattlebaum,
and Senior Judge Floyd.

For the Court

/s/ Nwamaka Anowi, Clerk