

NO. \_\_\_\_\_

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IN THE SUPREME COURT OF THE UNITED STATES

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OCTOBER TERM 2025

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OWEN MASON DORNON, Petitioner,

v.

UNITED STATES OF AMERICA, Respondent

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

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FILED: March 26, 2026

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 25-4557  
(1:22-cr-00077-TSK-MJA-1)

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

OWEN MASON DORNON,

Defendant - Appellant.

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O R D E R

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Owen Mason Dornon appeals his 60-month sentence imposed following his guilty plea to mailing threatening communications, in violation of [18 U.S.C. § 876\(c\)](#). Dornon argues that his sentence is substantively unreasonable. The Government has moved to dismiss the appeal based on the appellate waiver in Dornon's plea agreement. Dornon opposes the motion and asks this court to defer ruling on the motion until the Supreme Court issues a decision in No. 24-1063, *Hunter v. United States*.

“We review an appellate waiver de novo to determine its enforceability” and “will enforce the waiver if it is valid and if the issue being appealed falls within its scope.” *United States v. Carter*, [87 F.4th 217, 223-24](#) (4th Cir. 2023) (internal quotation marks omitted). “[A]n appellate waiver is valid if the defendant knowingly and voluntarily agreed to it.” *Id.* at 224. To determine whether a waiver is knowing and voluntary, “we look to the totality of the circumstances, including the defendant’s experience, conduct, educational background and knowledge of his plea agreement and its terms.” *Id.* “When a district court questions a defendant during a [Federal] Rule [of Criminal Procedure] 11 hearing regarding an appeal waiver and the record shows that the defendant understood the import of his concessions, we generally will hold that the waiver is valid.” *United States v. Boutcher*, [998 F.3d 603, 608](#) (4th Cir. 2021).

Dornon does not challenge the validity or scope of his appellate waiver. And, after reviewing the record, we conclude that Dornon knowingly and voluntarily waived his right to appeal and that the sentencing issue he raises falls squarely within the scope of the waiver.

We also find no reason to defer ruling on the motion until the issuance of *Hunter*. Although the district court advised Dornon that defendants generally have the right to appeal, it went on to say that Dornon had waived most of his appellate rights through the waiver in his plea agreement. The court further advised that there

were limited exceptions to the waiver and then outlined the steps to appeal if Dornon desired to do so.

Because the district court accurately advised Dornon of his limited appellate rights and the sentencing issue Dornon raises is squarely foreclosed by his knowing and voluntary appellate waiver, we grant the Government's motion to dismiss and dismiss the appeal.

Entered at the direction of the panel: Judge Richardson, Judge Berner, and Senior Judge Floyd.

For the Court

/s/ Nwamaka Anowi, Clerk