

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-4720

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

IGNACIO GONZALEZ PARTIDA, a/k/a Juan Hernandez Gonzalez,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. William L. Osteen, Jr., District Judge. (1:10-cr-00339-WO-1)

Submitted: May 31, 2012

Decided: August 7, 2012

Before GREGORY, SHEDD, and WYNN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Louis C. Allen, Federal Public Defender, John A. Dusenbury, Jr., Assistant Federal Public Defender, Greensboro, North Carolina, for Appellant. Ripley Rand, United States Attorney, Anand P. Ramaswamy, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ignacio Gonzalez Partida seeks to appeal his conviction and sentence. The Government has asserted that this appeal is barred by Partida'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 Partida knowingly and voluntarily waived his right to appeal and that the issues Partida seeks to raise on appeal and any potential error that could be revealed by this Court's review pursuant to Anders v. California, 386 U.S. 738 (1967), fall squarely within the scope of his waiver of appellate rights. Accordingly, we dismiss this appeal.

This court requires that counsel inform Partida, in writing, of the right to petition the Supreme Court of the United States for further review. If Partida requests that a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may move in this court for leave to withdraw from representation. Counsel's motion must state that a copy thereof was served on Partida.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials

before the court and argument would not aid the decisional process.

DISMISSED