

FILED: March 21, 2024

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-4525
(5:23-cr-00094-D-2)

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MONICA FAYE BARNES,

Defendant - Appellant.

O R D E R

Monica Faye Barnes seeks to appeal her twelve-month-and-one-day sentence imposed upon her conviction, following her guilty plea, to conspiracy to commit wire fraud, [18 U.S.C. §§ 1343, 1349](#). The Government has moved to dismiss the appeal as barred by Barnes' waiver of the right to appeal included in the plea agreement. Upon review of the record, we conclude that Barnes knowingly and voluntarily waived her right to appeal and that the issues Barnes seeks to raise in her appellate brief fall squarely within the scope of the waiver. Accordingly, we grant the Government's motion to dismiss and dismiss the appeal.

Barnes also has filed a motion to remand for consideration of a motion for reduction of sentence under [18 U.S.C. § 3582\(c\)](#), based on Amendment 821 to the Sentencing Guidelines, that is pending before the district court. Upon dismissal of this appeal and issuance of the mandate, jurisdiction will vest in the district court. We therefore deny the motion to remand. The mandate shall issue forthwith.

Entered at the direction of the panel: Judge Wilkinson, Judge King, and Senior Judge Traxler.

For the Court

/s/ Nwamaka Anowi, Clerk