

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 24-11518

Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

BRANDON JAMAL THURMOND,

Defendant- Appellant.

Appeal from the United States District Court
for the Southern District of Georgia
D.C. Docket No. 1:23-cr-00021-JRH-BKE-1

Before LUCK, LAGOA, and WILSON, Circuit Judges.

PER CURIAM:

The government’s motion to dismiss this appeal pursuant to the appeal waiver in Appellant’s plea agreement is GRANTED.¹ See *United States v. Bushert*, 997 F.2d 1343, 1345, 1350–51 (11th Cir. 1993) (holding that we will enforce sentence appeal waivers if they are made “knowingly and voluntarily”); *United States v. Boyd*, 975 F.3d 1185, 1192 (11th Cir. 2020) (noting that the “touchstone” for assessing if a sentence appeal waiver was made knowingly and voluntarily is whether it was clearly conveyed to the defendant that he was giving up his right to appeal under most circumstances); *United States v. Weaver*, 275 F.3d 1320, 1333 (11th Cir. 2001) (concluding that an appeal waiver was enforceable where the court referenced the waiver provision during the plea colloquy and the defendant confirmed that he understood the waiver provision and entered into it voluntarily and freely).

¹ Counsel’s motion to withdraw as counsel is DENIED.

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

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May 02, 2025

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 24-11518-CC
Case Style: USA v. Brandon Thurmond
District Court Docket No: 1:23-cr-00021-JRH-BKE-1

Opinion Issued

Enclosed is a copy of the Court's decision issued today in this case. Judgment has been entered today pursuant to FRAP 36. The Court's mandate will issue at a later date pursuant to FRAP 41(b).

Petitions for Rehearing

The time for filing a petition for panel rehearing or rehearing en banc is governed by 11th Cir. R. 40-2. Please see FRAP 40 and the accompanying circuit rules for information concerning petitions for rehearing. Among other things, **a petition for rehearing must include a Certificate of Interested Persons.** See 11th Cir. R. 40-3.

Costs

No costs are taxed.

Bill of Costs

If costs are taxed, please use the most recent version of the Bill of Costs form available on the Court's website at www.ca11.uscourts.gov. For more information regarding costs, see FRAP 39 and 11th Cir. R. 39-1.

Attorney's Fees

The time to file and required documentation for an application for attorney's fees and any objection to the application are governed by 11th Cir. R. 39-2 and 39-3.

Appointed Counsel

Counsel appointed under the Criminal Justice Act (CJA) must submit a voucher claiming compensation via the eVoucher system no later than 45 days after issuance of the mandate or the filing of a petition for writ of certiorari. Please contact the CJA Team at (404) 335-6167 or cja_evoucher@ca11.uscourts.gov for questions regarding CJA vouchers or the eVoucher system.

Clerk's Office Phone Numbers

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OPIN-1 Ntc of Issuance of Opinion