

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 11-15646

D.C. Docket No. 1:09-cr-00040-WLS-TQL-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

VINCENT BROOKS,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Georgia

(April 23, 2013)

Before TJOFLAT, MARCUS and KRAVITCH, Circuit Judges.

PER CURIAM:

The Government's motion to dismiss this appeal pursuant to the appeal waiver in Brooks's plea agreement is GRANTED, in part, with respect to Brooks's sentencing-related claims. *See United States v. Johnson*, 541 F.3d 1064, 1066-69 (11th Cir. 2008) (dismissing appeal when appeal waiver in plea agreement was

knowingly and voluntarily made). Brooks's conviction and sentence are summarily AFFIRMED, in part, to the extent that he challenges the government's failure to move the district court to reduce his sentence, as he has not argued that the government did so based on an unconstitutional motive. *United States v. Barner*, 572 F.3d 1239, 1249 (11th Cir. 2009); *United States v. Brewer*, 199 F.3d 1283, 1286 (11th Cir. 2000) (summarily affirming where the defendant's contentions were meritless).