

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 23-4275**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MICHEAL GERONALD PRINCE, a/k/a Ron Lo, a/k/a Ron Low,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at  
Columbia. Terry L. Wooten, Senior District Judge. (3:19-cr-00986-TLW-6)

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Submitted: December 14, 2023

Decided: December 18, 2023

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Before GREGORY and RUSHING, Circuit Judges, and MOTZ, Senior Circuit Judge.

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Affirmed in part and dismissed in part by unpublished per curiam opinion.

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**ON BRIEF:** Bradley M. Kirkland, BRADLEY M. KIRKLAND, LLC, Columbia, South  
Carolina, for Appellant. Benjamin Neale Garner, OFFICE OF THE UNITED STATES  
ATTORNEY, Columbia, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Micheal Geronald Prince pled guilty, pursuant to a written plea agreement, to conspiracy to possess with intent to distribute various controlled substances, including—as attributable to him through his own conduct and the conduct of other conspirators reasonably foreseeable to him—five kilograms or more of cocaine and 280 grams or more of cocaine base, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A). The district court sentenced him to 216 months’ imprisonment. On appeal, counsel has filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967), stating that there are no meritorious grounds for appeal but questioning whether the district court properly calculated Prince’s criminal history score. Prince was informed of his right to file a pro se supplemental brief, but he has not done so. The Government moves to dismiss Prince’s appeal pursuant to the appellate waiver in his plea agreement. We affirm in part and dismiss in part.

“We review an appellate waiver de novo to determine whether the waiver is enforceable” and “will enforce the waiver if it is valid and if the issue being appealed falls within the scope of the waiver.” *United States v. Boutcher*, 998 F.3d 603, 608 (4th Cir. 2021) (internal quotation marks omitted). An appellate waiver is valid if the defendant enters it “knowingly and intelligently, a determination that we make by considering the totality of the circumstances.” *Id.* “Generally though, if a district court questions a defendant regarding the waiver of appellate rights during the [Fed. R. Crim. P.] 11 colloquy and the record indicates that the defendant understood the full significance of the waiver, the waiver is valid.” *United States v. McCoy*, 895 F.3d 358, 362 (4th Cir. 2018) (internal quotation marks omitted). Our review of the record, including the plea agreement and the

transcript of the Rule 11 hearing, confirms that Prince knowingly and intelligently waived his right to appeal his conviction and sentence, with limited exceptions not applicable here. We therefore conclude that the waiver is valid and enforceable and that the sentencing issue counsel raises falls squarely within the waiver's scope.

In accordance with *Anders*, we have reviewed the entire record in this case and have found no potentially meritorious grounds for appeal outside the scope of Prince's valid appellate waiver. We therefore grant the Government's motion to dismiss in part and dismiss the appeal as to all issues covered by the waiver. We deny the motion in part and otherwise affirm.

This court requires that counsel inform Prince, in writing, of the right to petition the Supreme Court of the United States for further review. If Prince 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 Prince. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*AFFIRMED IN PART,  
DISMISSED IN PART*