

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

April 20, 2021

Christopher M. Wolpert
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAVID YOUNG,

Defendant - Appellant.

No. 20-1443
(D.C. No. 1:19-CR-00496-CMA-1)
(D. Colo.)

ORDER AND JUDGMENT*

Before **HOLMES**, **MATHESON**, and **MORITZ**, Circuit Judges.

David Young pled guilty to possession of a firearm and ammunition by a previously convicted felon, in violation of 18 U.S.C. § 922(g)(1). He was sentenced to 30 months in prison, which was below the advisory sentencing guidelines range of 46 to 57 months. After Mr. Young filed this appeal, the government moved to enforce the appellate waiver in his plea agreement. His response “acknowledges that his appeal waiver is enforceable on the current record under the standard set out in *United States v. Hahn*, 359 F.3d 1315 (10th Cir. 2004) (en banc)” Resp. at 1.¹

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

¹ This response was filed by Mr. Young’s counsel, who represented to us that Mr. Young disagreed with counsel’s assessment of the waiver’s enforceability and

Accordingly, we grant the government's motion to enforce the appeal waiver and dismiss this appeal.

Entered for the Court
Per Curiam

requested an opportunity to personally respond. In our discretion, in the interest of fairness and in an abundance of caution, we solicited a response from Mr. Young. The deadline for his response has expired, and we have not received a response from Mr. Young.