

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 18-15090  
Non-Argument Calendar

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D.C. Docket No. 1:18-cr-20514-KMM-2

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GISSELL ABERASTURIA,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Florida

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(June 11, 2019)

Before ED CARNES, Chief Judge, MARTIN, and NEWSOM, Circuit Judges.

PER CURIAM:

The Government's motion to dismiss this appeal pursuant to the appeal waiver in Appellant's plea agreement is GRANTED. *United States v. Johnson*,

541 F.3d 1064, 1066 (11th Cir. 2008) (sentence appeal waiver will be enforced if it was made knowingly and voluntarily); *United States v. Bascomb*, 451 F.3d 1292, 1297 (11th Cir. 2006) (appeal waiver “cannot be vitiated or altered by comments the court makes during sentencing”).