

United States Court of Appeals
Fifth Circuit

FILED

April 11, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-41548
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GREGORY KYLE WILSON,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:03-CR-232-8

Before JONES, Chief Judge, and JOLLY and DAVIS, Circuit Judges.

PER CURIAM:*

Gregory Kyle Wilson appeals the sentence imposed following his guilty plea to interstate travel in aid of racketeering. Wilson argues that (1) his sentence violates United States v. Booker, 543 U.S. 220 (2005), (2) the Feeney Amendment violates the Separation of Powers Clause, and (3) his base offense level calculation violated Booker. The Government seeks to enforce the waiver. By its plain language and the circumstances surrounding sentencing, Wilson's knowing and voluntary appeal waiver bars his

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

challenge to his sentence. See United States v. Burns, 433 F.3d 442, 450-51 (2005); United States v. Bond, 414 F.3d 542, 545 (5th Cir. 2005).

AFFIRMED.