

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 19-60141
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED
December 24, 2019

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

STEVEN DAVISON,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 3:17-CR-149-3

Before DAVIS, SMITH, and HIGGINSON, Circuit Judges.

PER CURIAM:*

Steven Davison appeals the 100-month sentence imposed following his guilty plea conviction for conspiracy to possess with intent to distribute at least 50 kilograms but less than 100 kilograms of marijuana. He raises arguments related to the district court's calculation of his guidelines range and the substantive reasonableness of his sentence. The Government moves to dismiss

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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the appeal or, alternatively, for summary affirmance based on the appeal waiver in Davison's plea agreement.

We review de novo whether an appeal waiver bars an appeal. *United States v. Jacobs*, 635 F.3d 778, 780-81 (5th Cir. 2011). The record reflects that Davison's appeal waiver was knowing and voluntary. *See United States v. McKinney*, 406 F.3d 744, 746 (5th Cir. 2005). In addition, the language of the appeal waiver applies to Davison's appellate arguments. *See Jacobs*, 635 F.3d at 781.

Accordingly, the Government's motion to dismiss the appeal is GRANTED, and its alternative motion for summary affirmance is DENIED.

APPEAL DISMISSED.