

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-10810
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RODNEY GARMAN,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:99-CR-8-2-R
- - - - -

April 13, 2000

Before WIENER, DeMOSS, PARKER, Circuit Judges.

PER CURIAM:*

Rodney Garman ("Garman") seeks to appeal his sentence after his guilty-plea conviction on two counts of bank robbery. However, Garman knowingly and voluntarily waived his right to appeal a sentence within the applicable sentencing guideline range, as was imposed in this case. See United States v. Melancon, 972 F.2d 566, 567 (5th Cir. 1992). There is no arguable merit to Garman's assertion that his waiver of appeal was not knowing and voluntary because it was executed before the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

district court imposed his sentence. See id. at 567-68.

Garman's appeal is dismissed as frivolous.

APPEAL DISMISSED. 5TH CIR. R. 42.2.