

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-50889  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JAVIER SANCHEZ,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. MO-01-CR-36-12-S  
- - - - -

September 20, 2002

Before DUHÉ, WIENER, and DeMOSS, Circuit Judges.

PER CURIAM:<sup>1</sup>

Javier Sanchez appeals his guilty plea conviction for aiding and abetting possession with intent to distribute marihuana. He argues that the district court violated FED. R. CRIM. P. 11 by failing to fully inform him regarding the effect of supervised release.

As part of his plea agreement, Sanchez waived his right to appeal "any aspect of the conviction and sentence" with the

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<sup>1</sup> 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

exception of certain ineffective assistance and prosecutorial misconduct claims. Sanchez has not challenged the validity of this waiver, and the record reveals that he knowingly and voluntarily agreed to this provision. See United States v. Portillo, 18 F.3d 290, 292 (5th Cir. 1994). Because this appeal is in contravention of the waiver of appeal provision, it is dismissed. See United States v. Melancon, 972 F.2d 566, 568 (5th Cir. 1992).

APPEAL DISMISSED.