

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

No. 13-50683
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

June 13, 2014

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JORGE ABEL RAMIREZ,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 2:12-CR-27-2

Before JOLLY, SMITH, and CLEMENT, Circuit Judges.

PER CURIAM:*

Jorge Abel Ramirez pleaded guilty, pursuant to a written plea agreement, to assaulting, resisting, or impeding officers of the United States. On appeal, he argues that the Government breached the plea agreement and thus engaged in prosecutorial misconduct by failing to inform the Probation Office about his acceptance of responsibility. Because the plea agreement placed no such obligation on the Government, Ramirez's allegation of a breach

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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and prosecutorial misconduct is factually incorrect. Ramirez's appeal is barred by the waiver in the plea agreement. *See United States v. Story*, 439 F.3d 226, 231 (5th Cir. 2006).

APPEAL DISMISSED.