

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

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No. 14-10668  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

May 5, 2015

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

versus

JOSE COLORADO PEREZ, Also Known as Jose Perez,

Defendant–Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
No. 3:13-CR-247-5

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Before SMITH, WIENER, and ELROD, Circuit Judges.

PER CURIAM:\*

Jose Colorado Perez appeals his sentence for possession with intent to distribute heroin in violation of 21 U.S.C. § 841. Although Colorado Perez

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 14-10668

claims that his appellate waiver is unenforceable, the record shows that it was knowing and voluntary, because he knew that he had the right to appeal and that he was giving up that right by entering into the plea agreement. *See United States v. Bond*, 414 F.3d 542, 544 (5th Cir. 2005); *United States v. Portillo*, 18 F.3d 290, 292-93 (5th Cir. 1994); *see also United States v. Jacobs*, 635 F.3d 778, 781 (5th Cir. 2011). Additionally, the waiver, which the government invokes, precludes consideration of Colorado Perez's claim concerning his sentence. Accordingly, the government's motion to dismiss is GRANTED, and the appeal is DISMISSED.