

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 92-5683
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

WILLIAM CHARLES DELOACH,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. SA-92-CR-12-1
- - - - -

June 22, 1993

Before POLITZ, Chief Judge, WIENER, and DeMOSS, Circuit Judges.

PER CURIAM:*

William Charles Deloach pleaded guilty to one count of printing counterfeit currency and one count of possession of a firearm by a felon. As part of his plea agreement, Deloach waived his "right to appeal his sentence on any ground" unless it was "imposed in excess of a statutory maximum." Deloach was sentenced within the statutory maximum to concurrent terms of sixty months imprisonment on each count, three years supervised release, a \$5,000 fine, \$1,380 in restitution, and a \$100 special

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

assessment. He appeals his sentence arguing that district court's upward departure from the sentencing guideline range was unreasonable.

A defendant may waive his statutory right to appeal his conviction and sentence as part of the plea-bargaining process. United States v. Melancon, 972 F.2d 566, 567-68 (5th Cir. 1992). Because Deloach does not challenge the validity of the plea agreement or the appeal-waiver provision, his appeal is DISMISSED.