

United States Court of Appeals
for the Fifth Circuit

No. 21-60860
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

April 8, 2022

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JARVIS DEMARCUS HARPER,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 3:19-CR-115-1

Before KING, COSTA, and HO, *Circuit Judges.*

PER CURIAM:*

Jarvis Demarcus Harper appeals the 87-month sentence imposed following his guilty plea conviction for possession of a firearm after a felony conviction. He argues that the district court erred in applying a four-level

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 21-60860

enhancement pursuant to U.S.S.G. § 2K2.1(b)(6)(B) for possessing a firearm in connection with another felony.

The Government moves to dismiss the appeal or, alternatively, for summary affirmance based on the appeal waiver in Harper's written plea agreement. Any argument that the waiver is invalid or unenforceable under the circumstances would be without merit, as Harper was specifically admonished about his right to appeal and that he was giving up that right as part of his plea, and the waiver broadly precludes any challenge to Harper's sentence. *See United States v. Bond*, 414 F.3d 542, 544 (5th Cir. 2005). Accordingly, the Government's motion to dismiss the appeal is GRANTED. Its alternative motion for summary affirmance is DENIED AS MOOT. The appeal is DISMISSED.