

JAN 18 2008

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TALAT KABIL,

Defendant - Appellant.

No. 06-10160

D.C. No. CR-05-00254-1-MCE

MEMORANDUM\*

Appeal from the United States District Court  
for the Eastern District of California  
Morrison C. England, District Judge, Presiding

Submitted January 14, 2008\*\*

Before: HALL, O'SCANNLAIN, and PAEZ, Circuit Judges.

Talat Kabil appeals from his guilty-plea conviction for marriage fraud, in violation of 8 U.S.C. § 1325(c). We have jurisdiction pursuant to 28 U.S.C. § 1291, and we dismiss the appeal.

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

When Kabil entered into a plea agreement with the government, he waived his right to appeal his conviction and sentence. The record indicates that Kabil's guilty plea was knowing and voluntary. *See United States v. Nguyen*, 235 F.3d 1179, 1182-83 (9th Cir. 2000); *see also United States v. Foreman*, 329 F.3d 1037, 1038-39 (9th Cir. 2003). Moreover, the district court did not erroneously advise Kabil that he retained the right to appeal his conviction. *Cf. United States v. Buchanan*, 59 F.3d 914, 917-18 (9th Cir. 1995). Therefore, we enforce the appeal waiver and dismiss this appeal.

**DISMISSED.**