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MOLLY C. DWYER, 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NOT FOR PUBLICATION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.

RICK RICHARD SWEET,

Defendant - Appellant.

No. 07-10172

D.C. No. CR-05-00672-9-JMR

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
John M. Roll, District Judge, Presiding

Submitted December 17, 2008**

Before: GOODWIN, TROTT, and RYMER, Circuit Judges.

Rick Richard Sweet appeals from 288-month sentence imposed following his guilty-plea conviction for interference with commerce by robbery, in violation

* 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).

of 18 U.S.C. § 1951(a), (b)(1), and brandishing a firearm during a crime of violence, in violation of 18 U.S.C. § 924(c)(1)(A)(ii). We dismiss the appeal.

Sweet contends that the appeal waiver in his plea agreement is not enforceable. We conclude that the waiver was knowing and voluntary and dismiss in light of the valid appeal waiver. *See United States v. Nguyen*, 235 F.3d 1179, 1182-84 (9th Cir. 2000); *see also United States v. Bibler*, 495 F.3d 621, 623-24 (9th Cir. 2007).

DISMISSED.