

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

April 15, 2021

Christopher M. Wolpert
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

FRANK SOTO,

Defendant - Appellant.

No. 21-2020
(D.C. No. 2:20-CR-01739-KWR-1)
(D. N.M.)

ORDER AND JUDGMENT*

Before **PHILLIPS, EID**, and **CARSON**, Circuit Judges.

Frank Soto pled guilty to conspiracy to distribute methamphetamine and possession with intent to distribute methamphetamine. He was sentenced to 140 months in prison, which was at the low end of his sentencing guidelines range. After Mr. Soto filed this appeal, the government moved to enforce the appellate waiver in his plea agreement. In response, Mr. Soto states “that he does not object to the dismissal of this appeal pursuant to *United States v. Hahn*, 359 F.3d 1315

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

(10th Cir. 2004).” Resp. at 1. Accordingly, we grant the government’s motion to enforce and dismiss this appeal.

Entered for the Court
Per Curiam