

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

December 27, 2024

Christopher M. Wolpert
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

BISHOP ALAMADAE DURAN,

Defendant - Appellant.

No. 24-1329
(D.C. No. 1:23-CR-00001-DDD-1)
(D. Colo.)

ORDER AND JUDGMENT*

Before **TYMKOVICH**, **McHUGH**, and **FEDERICO**, Circuit Judges.

Bishop Alamadae Duran pleaded guilty to one count of transportation of child pornography, in violation of 18 U.S.C. § 2252A(a)(1) and (b)(1), and one count of possession of child pornography, in violation of § 2252A(a)(5)(B) and (b)(2). The district court sentenced him to 180 months' imprisonment on the transportation count and 120 months' imprisonment on the possession count, to be served concurrently.

Although his plea agreement contains an appeal waiver, Mr. Duran appealed. The government moves to enforce the appeal waiver under *United States v. Hahn*, 359 F.3d 1315, 1328 (10th Cir. 2004) (en banc) (per curiam). In response, Mr. Duran

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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.

states that his counsel “acknowledges the appeal waiver is enforceable,” and that after consulting with counsel, he “does not contest the government’s Motion to Enforce.” Aplt. Resp. at 1. Accordingly, we grant the government’s motion to enforce the appeal waiver and dismiss this appeal.

Entered for the Court

Per Curiam