

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION**

UNITED STATES OF AMERICA           §  
  
V.   §     CR. NO. \_\_\_\_\_  
  
\_\_\_\_\_                                   §

**WAIVER OF APPEAL**

The defendant \_\_\_\_\_, in the above styled and numbered cause, **hereby expressly waives the right to contest and/or appeal, either directly or collaterally, his/her guilty plea, conviction, sentence, and/or detention by means of ANY post-conviction proceeding whatsoever.** Such waiver expressly includes, and **Defendant expressly agrees not to file, ANY DIRECT and/or COLLATERAL attacks** on the validity of Defendant’s guilty plea, conviction, sentence, and/or detention pursuant to any statute, law, procedure, or Constitutional provision whatsoever, including, without limitation **Title 18, U.S.C. § 3742 and Title 28, U.S.C. §2255.**

**Defendant is aware** that Title 28, U.S.C. § 2255, affords the right to contest or “collaterally attack” a conviction or sentence after the conviction or sentence has become final. Understanding this, Defendant agrees to waive the right to “collaterally attack” his/her conviction and/or sentence in any manner whatsoever, including Title 28, U.S.C. 2255. **Defendant is also aware** that Title 18, U.S.C. § 3742 affords a defendant the right to appeal the sentence imposed and/or the manner in which such sentence was determined. Understanding this, Defendant agrees to waive the right to appeal the sentence imposed or the manner in which it was determined on any grounds whatsoever, including, without limitation, those set forth in Title 18 U.S.C. § 3742.

The Defendant further waives all defenses based on venue, speedy trial under the Constitution and Speedy Trial Act, and the statute of limitations with respect to any prosecution that is not time barred on the date that this Agreement is signed, in the event that (a) Defendant’s conviction is later vacated for any reason, (b) Defendant violates any provision of this Agreement, or (c) Defendant’s plea is later withdrawn.

**SIGNED** on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Defendant

KEN MAGIDSON  
United States Attorney

By: \_\_\_\_\_  
Assistant United States Attorney  
Southern District of Texas

\_\_\_\_\_  
Attorney for Defendant