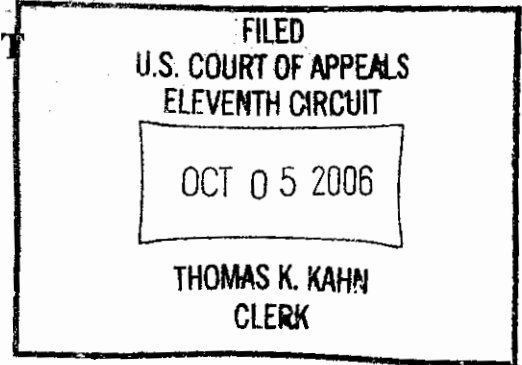


IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

8:03CR77-T-30Tam

No. 06-12761-FF



UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SAMI AMIN AL-ARIAN,  
a.k.a. Amin,  
a.k.a. Abu Abdullah,  
a.k.a. The Secretary,

Defendant-Appellant.

-----  
On Appeal from the United States District Court for the  
Middle District of Florida  
-----

BEFORE: CARNES, BARKETT and PRYOR, Circuit Judges

BY THE COURT:

A True Copy - Attested:  
Clerk, U.S. Court of Appeals  
Eleventh Circuit  
By: *Marcus Simmons*  
Deputy Clerk  
Atlanta, Georgia

Appellee's motion to dismiss this appeal due to a valid appeal waiver contained in Appellant's plea agreement is GRANTED as the issues raised by Appellant in this appeal do not fall into the exceptions to the appeal waiver and the record establishes that the appeal waiver was knowing and voluntary. See U.S. v. Benitez-Zapata, 131 F.3d 1444, 1446 (11th Cir. 1997); U.S. v. Bushert, 997 F.2d 1343, 1350 (11th Cir. 1993).

**United States Court of Appeals**

Eleventh Circuit  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

RECEIVED

**Thomas K. Kahn**  
Clerk

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[www.call.uscourts.gov](http://www.call.uscourts.gov)

October 05, 2006

Sheryl L. Loesch  
Clerk, U.S. District Court  
801 N FLORIDA AVE RM 220  
TAMPA FL 33602-3849

**Appeal Number: 06-12761-FF**  
Case Style: USA v. Sami Amin Al-Arian  
District Court Number: 03-00077 CR-T-30-TBM

The enclosed certified copy of this Court's Order of Dismissal is issued as the mandate of this court. See 11th Cir. R. 41-4. Counsel and pro se parties are advised that pursuant to 11th Cir. R. 27-2, "a motion to reconsider, vacate, or modify an order must be filed within 21 days of the entry of such order. No additional time shall be allowed for mailing."

The district court clerk is requested to acknowledge receipt on the copy of this letter enclosed to the clerk.

Sincerely,

THOMAS K. KAHN, Clerk

Reply To: Marcus Simmons (404) 335-6175

Encl.