

United States Court of Appeals for the Fifth Circuit

No. 25-60058
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

October 28, 2025

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

PHILLIP JASON BROOME,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 1:24-CR-73-1

Before ELROD, *Chief Judge*, and SMITH, and STEWART, *Circuit Judges*.

PER CURIAM:*

Phillip Jason Broome appeals his sentence for his guilty-plea conviction of possession with intent to distribute a substance containing a detectable amount of methamphetamine. He contends that the district court did not address the mitigating evidence he submitted when imposing sentence.

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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The Government has filed a motion to dismiss this appeal based on Broome's waiver of his right to appeal, which was included in his plea agreement and addressed by the district court when accepting his plea. Broome indicated that he understood and voluntarily agreed to the waiver provision when he signed the plea agreement and when he answered the district court's questions at his plea hearing. Broome's appeal waiver, which bars all challenges to his conviction and sentence except for claims of ineffective assistance of counsel, is thus valid and enforceable. *See United States v. Higgins*, 739 F.3d 733, 736–37 (5th Cir. 2014).

Accordingly, the Government's motion to dismiss is GRANTED, and Broome's appeal is DISMISSED. The Government's alternative motion for summary affirmance is DENIED.