

**FILED**  
**United States Court of Appeals**  
**Tenth Circuit**

**UNITED STATES COURT OF APPEALS**

**February 28, 2024**

**FOR THE TENTH CIRCUIT**

**Christopher M. Wolpert**  
**Clerk of Court**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSHUA RICO, a/k/a “JOSHRICO2196”,  
a/k/a “CHRISLUJAN2”,  
a/k/a “CLUJAN0420”,  
a/k/a “ERIKROMERO1123”,

Defendant - Appellant.

No. 23-2160  
(D.C. No. 1:21-CR-00653-JB-1)  
(D. N.M.)

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**ORDER AND JUDGMENT\***

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Before **HARTZ, KELLY, and McHUGH**, Circuit Judges.

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Joshua Rico pleaded guilty to five counts of coercion and enticement in violation of 18 U.S.C. § 2422(b) and received a sentence of 360 months in prison, which was at the low end of the advisory sentencing guidelines range. Despite an appeal waiver in his plea agreement, he filed this appeal. The government moves to enforce the appeal waiver pursuant to *United States v. Hahn*, 359 F.3d 1315 (10th Cir. 2004) (en banc). In response, Mr. Rico “concedes that his appeal waiver is enforceable under the standard set forth in *Hahn*.” Resp. at 2. Based on Mr. Rico’s

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\* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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

concession, we grant the government's motion to enforce the appeal waiver and dismiss this appeal.

Entered for the Court  
Per Curiam