

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

October 5, 2026

Christopher M. Wolpert
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

KENYETTA ROMELL BAUCOM,
a/k/a Kenyatte Romell Baucom,

Defendant - Appellant.

No. 26-6086
(D.C. No. 5:25-CR-00091-SLP-1)
(W.D. Okla.)

ORDER AND JUDGMENT*

Before **HOLMES**, Chief Judge, **McHUGH**, and **FEDERICO**, Circuit Judges.

Kenyetta Romell Baucom pled guilty to one count of being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). The district court sentenced him to 166 months in prison, which was within the advisory sentencing guidelines range of 151 to 180 months. He filed a notice of appeal. The government has now moved to enforce the appeal waiver in his plea agreement under *United States v. Hahn*, 359 F.3d 1315, 1328 (10th Cir. 2004).

Mr. Baucom's counsel filed a response to the motion, citing *Anders v. California*, 386 U.S. 738 (1967), and stating that he could find no non-frivolous basis

* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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

to oppose the government's motion. Counsel also requested to withdraw from representing Mr. Baucom.

Consistent with *Anders*, we gave Mr. Baucom the opportunity to file a pro se response. *See* 386 U.S. at 744. His response was initially due on September 17, 2026, and we sua sponte extended the deadline to October 1. To date he has not filed a response.

We will enforce an appeal waiver if (1) “the disputed appeal falls within the” waiver’s scope; (2) “the defendant knowingly and voluntarily waived his appellate rights”; and (3) enforcing the waiver would not “result in a miscarriage of justice.” *Hahn*, 359 F.3d at 1325. The government argues that all three of these conditions are met in this case.

As required by *Anders*, we fully examined all the proceedings. *See* 386 U.S. at 744. We agree there is no non-frivolous basis to oppose the government’s motion. We therefore grant the government’s motion to enforce the appeal waiver and dismiss the appeal. We also grant counsel’s request to withdraw as Mr. Baucom’s attorney.

Entered for the Court

Per Curiam