

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

v.

JAMES WESLEY BURGER,
Defendant.

|||
No. 1:25-cr-332-ADA

NOTICE OF APPEAL

The United States appeals to the United States Court of Appeals for the Fifth Circuit from this Court's order of December 10, 2025 (ECF No. 91), dismissing the Superseding Indictment against Defendant James Wesley Burger.

Respectfully submitted,

JUSTIN R. SIMMONS
UNITED STATES ATTORNEY

By: /s/ Mark T. Roomberg
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Certificate of Service

I certify that on December 31, 2025, I electronically filed this document with the Clerk of Court using the CM/ECF system, which will send notification to all counsel of record.

/s/ Mark T. Roomberg

MARK T. ROOMBERG
Assistant United States Attorney