

DEC 06 2013

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MICHAEL ANGELO ATONDO,

Defendant - Appellant.

No. 12-10137

D.C. No. 2:11-cr-00691-SRB

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Susan R. Bolton, District Judge, Presiding

Submitted November 19, 2013**

Before: CANBY, TROTT, and THOMAS, Circuit Judges.

Michael Angelo Atondo appeals from the district court’s judgment and challenges his jury-trial conviction and 96-month sentence for conspiracy to commit importation of marijuana, in violation of 21 U.S.C. §§ 846, 952(a), 960(a)(1), and 960(b)(2)(G); and conspiracy to possess with intent to distribute and

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

possession with intent to distribute marijuana, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B)(vii), and 846. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Atondo's counsel has filed a brief stating that there are no grounds for relief, along with a motion to withdraw as counsel of record. Atondo has filed a pro se supplemental brief. No answering brief has been filed.

Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses no arguable grounds for relief on direct appeal.

Counsel's motion to withdraw is **GRANTED**.

AFFIRMED.