FILED

NOT FOR PUBLICATION

SEP 30 2014

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

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSE MANUEL MEDINA-MOLINA,

Defendant - Appellant.

No. 13-10460

D.C. No. 2:12-cr-01388-ROS

MEMORANDUM*

Appeal from the United States District Court for the District of Arizona
John A. Jarvey, District Judge, Presiding**

Submitted September 23, 2014***

Before: W. FLETCHER, RAWLINSON, and CHRISTEN, Circuit Judges.

Jose Manuel Medina-Molina appeals from the district court's judgment and challenges his guilty-plea conviction and 32-month sentence for reentry of a

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

^{**} The Honorable John A. Jarvey, United States District Judge for the Southern District of Iowa, sitting by designation.

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

removed alien, in violation of 8 U.S.C. § 1326. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Medina-Molina's counsel has filed a brief stating that there are no grounds for relief, along with a motion to withdraw as counsel of record. Medina-Molina did not file a pro se brief in this court, but we have reviewed the pro se brief that he submitted with his notice of appeal. No answering brief has been filed.

Medina-Molina has waived his right to appeal his conviction and sentence. Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses no arguable issue as to the validity of the waiver. *See United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009). We accordingly dismiss the appeal. *See id.* at 988.

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

DISMISSED.

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