

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

APR 18 2017

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

JESUS IMALDO ARIAS-LOPEZ,

Defendant-Appellant.

No. 16-10206

D.C. No. 2:15-cr-01568-DJH

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Diane J. Humetewa, District Judge, Presiding

Submitted April 11, 2017**

Before: GOULD, CLIFTON, and HURWITZ, Circuit Judges.

Jesus Imaldo Arias-Lopez appeals from the district court's judgment and challenges his guilty-plea conviction and 27-month sentence for being an alien in possession of ammunition, in violation of 18 U.S.C. §§ 922(g)(5)(A) and 924(a)(2). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Arias-Lopez's

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

counsel has filed a brief stating that there are no grounds for relief, along with a motion to withdraw as counsel of record. We have provided Arias-Lopez the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Arias-Lopez 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.

We remand the case to the district court with instructions to delete “firearm” from the description of the offense and to amend the judgment to reflect the correct Bureau of Prisons’s Register Number for Arias-Lopez, which is 51277-408.

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

DISMISSED; REMANDED to correct the judgment.