

OCT 03 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff - Appellee,</p> <p>v.</p> <p>ANTOINNE LEE FEATHERSTONE,</p> <p>Defendant - Appellant.</p>

No. 11-10465

D.C. No. 2:10-cr-01779-ROS

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
William T. Hodges, District Judge, Presiding**

Submitted September 24, 2013***

Before: RAWLINSON, N.R. SMITH, and CHRISTEN, Circuit Judges.

Antoinne Lee Featherstone appeals from the district court’s judgment and challenges the 141-month sentence imposed following his guilty-plea conviction

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

** The Honorable William Terrell Hodges, Senior United States District Judge for the Middle District of Florida, sitting by designation.

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

for two counts of armed bank robbery, in violation of 18 U.S.C. § 2113(a), (d); and using a firearm during a crime of violence, in violation of 18 U.S.C.

§ 924(c)(1)(A)(ii). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Featherstone's 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 Featherstone the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Featherstone has waived his right to appeal his 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.