

JUN 17 2014

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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NOT FOR PUBLICATION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>JUAN ELI ZAPATA-MARQUEZ,</p> <p>Defendant - Appellant.</p>

No. 13-10054

D.C. No. 2:12-cr-01778-ROS

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Howard D. McKibben, District Judge, Presiding**

Submitted June 12, 2014***

Before: McKEOWN, WARDLAW, and M. SMITH, Circuit Judges.

Juan Eli Zapata-Marquez appeals from the district court’s judgment and challenges his guilty-plea conviction and 57-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 Howard D. McKibben, Senior United States District Judge for the District of Nevada, 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), Zapata-Marquez'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 Zapata-Marquez the opportunity to file a pro se supplemental brief. No pro se supplemental brief or 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.