

AUG 22 2016

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NOT FOR PUBLICATION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.

MIGUEL ANGEL CERVANTES-
CEVALLOS, a.k.a. Miguel Angel
Cervantes, a.k.a. Miguel Anguel
Cervantes, a.k.a. Miguel Anguel Cervantes
Cevallos, a.k.a. Miguel Anguel Cervantes-
Cevallos,

Defendant - Appellant.

No. 15-10471

D.C. No. 2:15-cr-00568-SPL

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Steven P. Logan, District Judge, Presiding

Submitted August 16, 2016**

Before: O'SCANNLAIN, LEAVY, and CLIFTON, Circuit Judges.

Miguel Angel Cervantes-Cevallos appeals from the district court's judgment

* 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).

and challenges his guilty-plea conviction and 33-month sentence for reentry of a removed alien, in violation of 8 U.S.C. § 1326. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Cervantes-Cevallos'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 Cervantes-Cevallos the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Cervantes-Cevallos 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.