

FILED

JUL 17 2017

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NOT FOR PUBLICATION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.

FACUNDO LOPEZ-PEREZ, a.k.a. Jose
Huerta Maldonado, a.k.a. Israel Lopez
Zasueta,

Defendant-Appellant.

No. 16-10072

D.C. No.

1:14-cr-00045-AWI-BAM-1

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Anthony W. Ishii, District Judge, Presiding

Submitted July 13, 2017**

Before: HUG, FARRIS, and CANBY, Circuit Judges.

Facundo Lopez-Perez appeals from the district court's judgment and challenges his guilty-plea conviction and 210-month sentence for conspiracy to distribute and possess with intent to distribute methamphetamine and heroin, in

* 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).

violation of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(A). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Lopez-Perez's counsel has filed a brief stating that there are no grounds for relief, along with a motion to withdraw as counsel. We have provided Lopez-Perez the opportunity to file a pro se supplemental brief. Lopez-Perez has filed motion to file a late brief and we have received a pro se supplemental brief from him.

Lopez-Perez waived his right to appeal his conviction and sentence. Because the record discloses no arguable issue as to the validity of the appeal waiver, we dismiss the appeal. *See United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009).

Lopez-Perez's motion to file a late brief is **GRANTED**.

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

DISMISSED.