

IN THE UTAH COURT OF APPEALS

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State of Utah,)	MEMORANDUM DECISION
)	(Not For Official Publication)
Plaintiff and Appellee,)	
)	Case No. 20050186-CA
v.)	
)	F I L E D
Ruben Bucio-Alvarez,)	(January 10, 2008)
)	
Defendant and Appellant.)	2008 UT App 13

Second District, Ogden Department, 041904198
The Honorable Michael D. Lyon

Attorneys: Dee W. Smith, Ogden, for Appellant

Before Judges Thorne, McHugh, and Orme.

PER CURIAM:

Ruben Bucio-Alvarez appeals his sentence after pleading guilty to rape of a child. See Utah Code Ann. § 76-5-402.1 (2003). Bucio-Alvarez's counsel filed a brief pursuant to Anders v. California, 386 U.S. 783 (1967), and State v. Clayton, 639 P.2d 168 (Utah 1981). The brief "objectively demonstrate[s] that the issues raised are frivolous." State v. Flores, 855 P.2d 258, 260 (Utah Ct. App. 1993) (per curiam). Based upon our independent examination of the record, we determine that the appeal is, indeed, wholly frivolous. Accordingly, we affirm Bucio-Alvarez's sentence and grant counsel's motion to withdraw.

William A. Thorne Jr.,
Associate Presiding Judge

Carolyn B. McHugh, Judge

Gregory K. Orme, Judge