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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA, Plaintiff - Appellee, v. RAFAEL MADRIGAL, Defendant - Appellant.	No. 09-30039 D.C. No. 1:08-CR-00112-BLW MEMORANDUM*

Appeal from the United States District Court
for the District of Idaho
B. Lynn Winmill, Chief Judge, Presiding

Submitted March 8, 2011**

Before: FARRIS, LEAVY, and BYBEE, Circuit Judges.

Rafael Madrigal appeals from: (1) his guilty-plea conviction and 130-month sentence for illegal reentry, in violation of 8 U.S.C. § 1326(a); (2) his guilty-plea conviction and concurrent 120-month sentence for unlawful possession of an unregistered firearm, in violation of 26 U.S.C. §§ 5841 and 5861(d); and (3) the

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* 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).

order of forfeiture under 26 U.S.C. § 5872 and 28 U.S.C. § 2461(c). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Madrigal's counsel has filed a brief stating there are no grounds for relief, along with a motion to withdraw as counsel of record. We have provided the appellant with the opportunity to file a pro se supplemental brief. A supplemental brief and answering brief have been filed.

Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80-81 (1988), discloses no arguable grounds for relief on direct appeal.

Accordingly, counsel's motion to withdraw is **GRANTED**, and the district court's judgment is **AFFIRMED**.