

APR 28 2011

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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NOT FOR PUBLICATION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.

VICTOR GONZALEZ-CUEVAS, a.k.a.
Victor Manuel Gonzalez-Cuevas,

Defendant - Appellant.

No. 09-10437

D.C. No. 4:05-cr-01254-DCB

MEMORANDUM*

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

VICTOR GONZALEZ-CUEVAS, a.k.a.
Victor Manuel Gonzalez-Cuevas,

Defendant - Appellant.

No. 09-10438

D.C. No. 4:09-cr-01093-DCB

Appeal from the United States District Court
for the District of Arizona
David C. Bury, District Judge, Presiding

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

Submitted April 20, 2011**

Before: RYMER, THOMAS, and PAEZ, Circuit Judges.

Victor Gonzalez-Cuevas appeals from his guilty-plea conviction and 51-month sentence for illegal reentry following deportation, in violation of 8 U.S.C. § 1326. He also appeals from the four-month sentence imposed upon revocation of supervised release. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Gonzalez-Cuevas'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. 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, 80-81 (1988), discloses no arguable grounds for relief on direct appeal.

Counsel's motions for ruling are denied as moot.

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

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).