

MAY 21 2012

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NOT FOR PUBLICATION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.

ISIDRO GARAY-PEREZ,

Defendant - Appellant.

No. 11-10493

D.C. No. 4:10-cr-00896-CKJ

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
Timothy M. Burgess, District Judge, Presiding\*\*

Submitted May 15, 2012\*\*\*

Before: CANBY, GRABER, and M. SMITH, Circuit Judges.

Isidro Garay-Perez appeals from his guilty-plea conviction and 36-month sentence for re-entry after deportation, in violation of 8 U.S.C. § 1326. Pursuant to

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

\*\* Timothy M. Burgess, United States District Judge for the District of Alaska, sitting by designation.

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

*Anders v. California*, 386 U.S. 738 (1967), Garay-Perez'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 motion to withdraw is **GRANTED**.

**AFFIRMED.**