

SEP 13 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff - Appellee,</p> <p>v.</p> <p>FRANCISCO GUZMAN-PEREZ,</p> <p>Defendant - Appellant.</p>
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Nos. 11-10396  
11-10398

D.C. Nos. 4:11-cr-00466-DCB  
4:11-cr-50058-DCB

MEMORANDUM\*

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

Submitted September 10, 2012\*\*\*

Before: WARDLAW, CLIFTON, and N.R. SMITH, Circuit Judges.

In these consolidated appeals, Francisco Guzman-Perez appeals from the 24-month sentence imposed following his guilty-plea conviction for reentry after

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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 Honorable James M. Moody, United States District Judge for the Eastern District of Arkansas, sitting by designation.

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

deportation, in violation of 8 U.S.C. § 1326; and the 12-month sentence imposed upon revocation of supervised release. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Guzman-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 Guzman-Perez 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 (1988), discloses no arguable grounds for relief on direct appeal. We dismiss in light of the valid appeal waivers. *See United States v. Nguyen*, 235 F.3d 1179, 1182 (9th Cir. 2000).

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

**In case numbers 11-10396 and 11-10398, the appeals are DISMISSED.**