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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NOT FOR PUBLICATION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 style="text-align: center;">Plaintiff - Appellee,</p> <p style="text-align: center;">v.</p> <p>MANUEL TRINIDAD PEREZ- ROMERO,</p> <p style="text-align: center;">Defendant - Appellant.</p>

No. 11-10513

D.C. No. 4:11-cr-01462-CKJ

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Philip G. Reinhard, District Judge, Presiding**

Submitted September 10, 2012***

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

Manuel Trinidad Perez-Romero appeals from his guilty-plea conviction and 37-month sentence for possession with intent to distribute marijuana, in violation

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

** The Honorable Philip G. Reinhard, Senior United States District Judge for the Northern District of Illinois, sitting by designation.

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

of 21 U.S.C. § 841(a)(1) and (b)(1)(D). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Perez-Romero'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 Perez-Romero 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 waiver. *See United States v. Nguyen*, 235 F.3d 1179, 1182 (9th Cir. 2000).

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

DISMISSED.