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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NOT FOR PUBLICATION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>JOSE LOPEZ-ALVAREZ,</p> <p>Defendant - Appellant.</p>
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No. 11-50562

D.C. No. 3:11-cr-01511-WQH

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
William Q. Hayes, District Judge, Presiding

Submitted March 12, 2013**

Before: PREGERSON, REINHARDT, and W. FLETCHER, Circuit Judges.

Jose Lopez-Alvarez appeals from the district court’s judgment and challenges his jury-trial conviction and 120-month sentence for importation of heroin and cocaine, in violation of 21 U.S.C. §§ 952 and 960. Pursuant to *Anders*

* 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).

v. California, 386 U.S. 738 (1967), Lopez-Alvarez’s counsel has filed a brief stating that there are no grounds for relief, along with a motion to withdraw as counsel of record. We have provided Lopez-Alvarez 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.

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

AFFIRMED.