

JUN 13 2013

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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NOT FOR PUBLICATION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>PEDRO ENRIQUE MEDRANO-CRUZ,</p> <p>Defendant - Appellant.</p>
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No. 12-10046

D.C. No. 4:03-cr-00658-CKJ

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
J. Michael Seabright, District Judge, Presiding**

Submitted June 10, 2013***

Before: HAWKINS, McKEOWN, and BERZON, Circuit Judges.

Pedro Enrique Medrano-Cruz appeals from the district court’s judgment and challenges the 24-month sentence imposed upon revocation of supervised release.

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

** The Honorable J. Michael Seabright, United States District Judge for the District of Hawaii, sitting by designation.

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

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Medrano-Cruz'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 Medrano-Cruz the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Medrano-Cruz has waived his right to appeal the sentence imposed upon revocation of supervised release. Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses no arguable issue as to the validity of the waiver. *See United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009).

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

AFFIRMED.