

AUG 19 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NOT FOR PUBLICATION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>CARLOS EDUARDO ROBLES-LOPEZ,</p> <p>Defendant - Appellant.</p>
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No. 12-10322

D.C. No. 4:10-cr-01999-RCC

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
William F. Downes, District Judge, Presiding\*\*

Submitted August 14, 2013\*\*\*

Before: SCHROEDER, GRABER, and PAEZ, Circuit Judges.

Carlos Eduardo Robles-Lopez appeals from the district court’s judgment and challenges the 51-month sentence imposed following his guilty-plea conviction for

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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 William F. Downes, United States District Judge for the District of Wyoming, sitting by designation.

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

possession with intent to distribute cocaine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(A)(ii)(II). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Robles-Lopez'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 Robles-Lopez the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Robles-Lopez has waived his right to appeal his sentence. 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). We accordingly dismiss the appeal. *See id.* at 988.

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

**DISMISSED.**