

OCT 03 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NOT FOR PUBLICATION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>ANABEL OCEGUEDA,</p> <p>Defendant - Appellant.</p>

No. 12-50259

D.C. No. 3:12-cr-00509-CAB

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Cathy Ann Bencivengo, District Judge, Presiding

Submitted September 24, 2013**

Before: RAWLINSON, N.R. SMITH, and CHRISTEN, Circuit Judges.

Anabel Ocegueda appeals from the district court’s judgment and challenges her guilty-plea conviction and 168-month sentence for importation of methamphetamine, in violation of 21 U.S.C. §§ 952, 960. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Ocegueda’s counsel has filed a brief stating that

* 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).

there are no grounds for relief, along with a motion to withdraw as counsel of record. We have provided Ocegueda the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Ocegueda has waived her right to appeal her conviction and 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.