

OCT 03 2013

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MIGUEL BELTRAN-MARQUEZ, d.b.a.
Trinidad Romero Atondo, a.k.a. Ignacio
Martinez-Chavez, a.k.a. Polo,

Defendant - Appellant.

Nos. 12-30223

12-30225

D.C. Nos. 1:11-cr-00208-EJL

1:11-cr-00245-EJL

MEMORANDUM*

Appeal from the United States District Court
for the District of Idaho
Edward J. Lodge, District Judge, Presiding

Submitted September 24, 2013**

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

In these consolidated appeals, Miguel Beltran-Marquez appeals his guilty-
plea conviction and 188-month sentence for conspiracy to distribute
methamphetamine, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A); and the

* 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).

revocation of supervised release and concurrent 18-month sentence imposed upon revocation. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Beltran-Marquez's counsel has filed a brief stating that there are no grounds for relief, along with a motion to withdraw as counsel of record. Beltran-Marquez has filed a pro se supplemental brief. No answering brief has been filed.

Beltran-Marquez has waived his right to appeal his conspiracy conviction and 188-month sentence. Because the record discloses no arguable issue as to the validity of the waiver, we dismiss Appeal No. 12-30223. See *United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009).

Our independent review of the record pursuant to *Penon v. Ohio*, 488 U.S. 75, 80 (1988), discloses no arguable grounds for relief with respect to the revocation of supervised release or the sentence imposed upon revocation. We therefore affirm the judgment challenged in Appeal No. 12-30225.

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

Beltran-Marquez's pro se motions to strike the *Anders* brief and appoint substitute counsel are **DENIED**. To the extent Beltran-Marquez is seeking appointment of counsel to collaterally attack his conviction and sentence, he may make that request in connection with any 28 U.S.C. § 2255 motion that he files.

Appeal No. 12-30223 DISMISSED; Appeal No. 12-30225 AFFIRMED.