NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,	Nos. 12-10662
Plaintiff - Appellee,	12-10663
v.	D.C. Nos. 4:12-cr-01405-CKJ
	4:12-cr-50164-CKJ
SERGIO DELGADO MONTOYA, a.k.a. Fernando Escobar, a.k.a. Fernando Escobar-Jimenez,	MEMORANDUM*
Defendant - Appellant.	

Appeal from the United States District Court
for the District of Arizona
Mark W. Bennett, District Judge, Presiding**

Submitted November 19, 2013***

Before: CANBY, TROTT, and THOMAS, Circuit Judges.

In these consolidated appeals, Sergio Delgado Montoya appeals his guilty-

---

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

**   The Honorable Mark W. Bennett, United States District Judge for the Northern District of Iowa, sitting by designation.

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

plea conviction and 30-month sentence for reentry after deportation, in violation of 8 U.S.C. § 1326; and the revocation of supervised release and consecutive 24-month sentence imposed upon revocation. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Delgado Montoya'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 Delgado Montoya the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Delgado Montoya has waived his right to appeal his conviction and sentence, and his right to appeal the revocation of supervised release and the sentence imposed upon revocation. 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 waivers. *See United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009). We accordingly dismiss these appeals. *See id.* at 988.

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

DISMISSED.