

JAN 30 2014

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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NOT FOR PUBLICATION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 style="text-align: center;">Plaintiff - Appellee,</p> <p>v.</p> <p>CARLOS NARANJO-YANEZ, a.k.a. Carlos Yanez,</p> <p style="text-align: center;">Defendant - Appellant.</p>
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No. 12-10523

D.C. No. 4:11-cr-03150-RCC

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
Jack Zouhary, District Judge, Presiding\*\*

Submitted January 21, 2014\*\*\*

Before: CANBY, SILVERMAN, and PAEZ, Circuit Judges.

Carlos Naranjo-Yanez appeals from the district court’s judgment and challenges his guilty-plea conviction and sentence of 13 months and one day 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 Jack Zouhary, United States District Judge for the Northern District of Ohio, sitting by designation.

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

reentry after deportation, in violation of 8 U.S.C. § 1326. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Naranjo-Yanez'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 Naranjo-Yanez the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Naranjo-Yanez has waived his right to appeal his conviction. Our independent review of the record pursuant to *Penon 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). Naranjo-Yanez's appeal is moot with respect to his sentence because he has completed his custodial sentence and is not subject to a term of supervised release. *See United States v. Palomba*, 182 F.3d 1121, 1123 (9th Cir. 1999). We accordingly dismiss the appeal.

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

**DISMISSED.**