

APR 11 2014

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NOT FOR PUBLICATION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.

JONATHAN ROJAS,

Defendant - Appellant.

No. 13-50080

D.C. No. 3:11-cr-03266-JM

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Jeffrey T. Miller, District Judge, Presiding

Submitted April 7, 2014**

Before: TASHIMA, GRABER, and IKUTA, Circuit Judges.

Jonathan Rojas appeals from the district court’s judgment and challenges his guilty-plea conviction and 60-month sentence for importation of methamphetamine, in violation of 21 U.S.C. §§ 952 and 960. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Rojas’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 Rojas the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Rojas has waived the right to appeal his 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.