

APR 30 2014

MOLLY C. DWYER, CLERK
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NOT FOR PUBLICATION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>MARIO HONORIO MATA-CASTRO, a.k.a. Honorio Castro-Mata, a.k.a. Vicente Guerro, a.k.a. Mario Mata-Martinez,</p> <p style="text-align: center;">Defendant - Appellant.</p>
--

Nos. 13-10221
13-10238

D.C. Nos. 2:13-cr-00131-LRR-1
2:09-cr-00964-LRR-1

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Linda R. Reade, Senior District Judge, Presiding**

Submitted March 31, 2014***

Before: HUG, FARRIS, and CANBY, Circuit Judges.

In these consolidated appeals, Mario Honorio Mata-Castro appeals his

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

** The Honorable Linda R. Reade, 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).

guilty-plea conviction and 14-month sentence for reentry of a removed alien, in violation of 8 U.S.C. § 1326; and the revocation of supervised release and consecutive 22-month sentence imposed upon revocation. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Mata-Castro'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 Mata-Castro the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Mata-Castro has waived his right to appeal his reentry of a removed alien conviction and 14-month sentence. Because the record discloses no arguable issue as to the validity of the waiver, we dismiss Appeal No. 13-10221. *See United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009).

Our independent review of the record pursuant to *Penson 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. 13-10238.

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

Appeal No. 13-10221 DISMISSED; Appeal No. 13-10238 AFFIRMED.