

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

SEP 04 2014

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

FRANCISCO JAVIER ASTORGA-
VELARDE,

Defendant - Appellant.

No. 13-10635

D.C. No. 2:12-cr-02104-SRB-1

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Susan R. Bolton, District Judge, Presiding

Submitted July 24, 2014**

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

Francisco Javier Astorga-Velarde appeals from the district court's judgment and challenges his guilty-plea conviction and 144-month sentence for using and carrying a firearm during and in relation to a crime of violence and possessing a

* 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).

firearm in furtherance of a crime of violence, in violation of 18 U.S.C. § 924(c).

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Astorga-Velarde'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 Astorga-Velarde the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Astorga-Velarde has waived his right to appeal his conviction and 144-month sentence. Because the record discloses no arguable issue as to the validity of the appeal waiver, we dismiss the appeal. *See United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009).

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

DISMISSED.