

MAY 18 2015

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NOT FOR PUBLICATION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.

LUIS ENRIQUE MEJIA-CALDERON,

Defendant - Appellant.

No. 14-10292

D.C. No. 2:12-cr-00039-TLN

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Troy L. Nunley, District Judge, Presiding

Submitted May 13, 2015**

Before: LEAVY, CALLAHAN, and M. SMITH, Circuit Judges.

Luis Enrique Mejia-Calderon appeals from the district court's judgment and challenges his guilty-plea conviction and 108-month aggregate sentence for three counts of illegal use of a communication facility, in violation of 21 U.S.C.

§ 843(b). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Mejia-Calderon's

* 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).

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 Mejia-Calderon the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Mejia-Calderon waived his 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.