

AUG 31 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NOT FOR PUBLICATION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.

SALVADOR JAMAICA-ARELLANO,
a.k.a. Chava,

Defendant - Appellant.

No. 13-10420

D.C. No. 2:11-cr-00075-MCE

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Morrison C. England, Jr., Chief Judge, Presiding

Submitted August 25, 2015**

Before: McKEOWN, CLIFTON, and HURWITZ, Circuit Judges.

Salvador Jamaica-Arellano appeals from the district court's judgment and challenges his guilty-plea conviction and 70-month sentence for conspiracy to distribute at least 50 grams of methamphetamine, in violation of 21 U.S.C.

* 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).

§§ 841(a)(1), 846. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Jamaica-Arellano'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 Jamaica-Arellano the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Jamaica-Arellano 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 988.¹

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

DISMISSED.

¹ This disposition does not affect the district court's amended order, effective November 1, 2015, which reduced defendant's sentence from 70 months to 57 months under 18 U.S.C. § 3582(c)(2).