

OCT 19 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NOT FOR PUBLICATION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.

JONATHAN VERGNETTI,

Defendant - Appellant.

No. 14-10154

D.C. No. 2:12-cr-00084-APG

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Andrew P. Gordon, District Judge, Presiding

Submitted October 14, 2015**

Before: SILVERMAN, BYBEE, and WATFORD, Circuit Judges.

Jonathan Vergnetti appeals from the district court's judgment and challenges his guilty-plea conviction and 24-month sentence for aggravated identity theft, in violation of 18 U.S.C. § 1028A(a)(1) and (c)(4). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Vergnetti's counsel has filed a brief stating that there are no

* 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).

grounds for relief, along with a motion to withdraw as counsel of record. We have provided Vergnetti the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Vergnetti 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.