

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 01 2016

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CLARENCE TSOSIE,

Defendant - Appellant.

No. 14-10485

D.C. No. 3:13-cr-08149-NVW-1

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
John A. Jarvey, Chief District Judge, Presiding

Submitted January 28, 2016**

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

Clarence Tsosie appeals from the district court's judgment and challenges his guilty-plea conviction and 120-month sentence for assault resulting in serious injury, in violation of 18 U.S.C. §§ 1153 and 113(a)(6). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Tsosie's counsel has filed a brief stating that there

* 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).

are no grounds for relief, along with a motion to withdraw as counsel of record.

We have provided Tsosie the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Tsosie has waived his right to appeal his conviction, sentence, and order of restitution. 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 as counsel is **GRANTED**.

DISMISSED.