

FILED

MAY 23 2016

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NOT FOR PUBLICATION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.

JOSE JAVIER LOPEZ-DIAZ, a.k.a. Javier
Lopez-Diaz,

Defendant - Appellant.

No. 15-10216

D.C. No. 2:13-cr-01544-DLR-3

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Douglas L. Rayes, District Judge, Presiding

Submitted May 19, 2016**

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

Jose Javier Lopez-Diaz appeals from the district court's judgment and challenges his guilty-plea conviction and 144-month sentence for conspiracy to possess with intent to distribute 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).

846 and 841(b)(1)(A)(viii). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Lopez-Diaz'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 Lopez-Diaz the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Lopez-Diaz has waived his right to appeal his conviction and 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.