

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 18 2017

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 16-10158

Plaintiff-Appellee,

D.C. No. 4:14-cr-01240-CKJ

v.

MEMORANDUM*

FREDY YOVANI HERNANDEZ-
MALDONADO, a.k.a. Fredy Guanny
Hernandez, a.k.a. Fredy Y. Hernandez, a.k.a.
Fredy Yovani Hernandez, a.k.a. Fredy
Yovani Hernandez-Maldonado,

Defendant-Appellant.

Appeal from the United States District Court
for the District of Arizona
Cindy K. Jorgenson, District Judge, Presiding

Submitted April 11, 2017**

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

Fredy Yovani Hernandez-Maldonado appeals from the district court's
judgment and challenges the 25-month sentence imposed on remand following his

* This disposition is not appropriate for publication and is not precedent
except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision
without oral argument. *See* Fed. R. App. P. 34(a)(2).

guilty-plea conviction for reentry of a removed alien, in violation of 8 U.S.C. § 1326. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Hernandez-Maldonado'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 Hernandez-Maldonado the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses no arguable grounds for relief on direct appeal.

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

AFFIRMED.