

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

NOV 08 2016

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

TORIBIO MORENO-FIERRO,

Defendant-Appellant.

No. 15-10565

D.C. No.

2:15-cr-01023-GMS-1

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
G. Murray Snow, District Judge, Presiding

Submitted November 4, 2016\*\*

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

Toribio Moreno-Fierro appeals from the district court's judgment and challenges his conviction and 33-month sentence for being an illegal alien found in the United States following deportation, in violation of 8 U.S.C. § 1326. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Moreno-Fierro's counsel has filed a

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\* 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).

brief stating that there are no grounds for relief, along with a motion to withdraw as counsel of record. We have provided Moreno-Fierro the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Moreno-Fierro has waived his right to appeal. 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.**