

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAY 18 2018

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

DAVID ORLANDO RUIZ-CARPINTERO,  
a.k.a. David Hernandez Hernandez, a.k.a.  
Jose Hernandez Hernandez, a.k.a. David  
Orlando Ruiz, a.k.a. David Ruiz-Carpintero,

Defendant-Appellant.

Nos. 17-10372  
17-10373

D.C. Nos. 4:17-cr-00218-RM  
2:14-cr-00177-RM

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
Rosemary Marquez, District Judge, Presiding

Submitted May 15, 2018\*\*

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

In these consolidated appeals, David Orlando Ruiz-Carpintero appeals his guilty-plea conviction and 41-month sentence for reentry of a removed alien, in violation of 8 U.S.C. § 1326, and the revocation of supervised release and

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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).

concurrent 8-month sentence imposed upon revocation. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Ruiz-Carpintero'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 Ruiz-Carpintero 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 in these direct appeals.

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

**AFFIRMED.**