

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 6 2020

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 19-10209

Plaintiff-Appellee,

D.C. No. 4:09-cr-00829-RCC-JR-1

v.

MEMORANDUM*

MICHEL MARTINEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the District of Arizona
Raner C. Collins, District Judge, Presiding

Submitted March 3, 2020**

Before: MURGUIA, CHRISTEN, and BADE, Circuit Judges.

Michel Martinez appeals from the district court's denial, after remand, of his motion for a sentence reduction under 18 U.S.C. § 3582(c)(2) and Amendment 782. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Martinez's counsel has filed a brief stating that there are no grounds for relief, along with a motion to

* 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).

withdraw as counsel of record. We have provided Martinez 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.

The government's motion to allow late filing of its *Anders* letter is denied as unnecessary.

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

AFFIRMED.