

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 9 2020

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

LUIS ALBERTO GARCIA DE JESUS,
AKA Luis Garcia De Jesus, AKA Jose Luis
Garcia Tolentino,

Defendant-Appellant.

No. 19-10383

D.C. No. 2:18-cr-01446-SMB-3

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Susan M. Brnovich, District Judge, Presiding

Submitted June 2, 2020**

Before: LEAVY, PAEZ, and BENNETT, Circuit Judges.

Luis Alberto Garcia De Jesus appeals from the district court's judgment and challenges the 36-month sentence imposed following his guilty-plea conviction for conspiracy to harbor illegal aliens, in violation of 8 U.S.C. § 1324(a)(1)(A)(iii) and

* 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).

(a)(1)(A)(v)(I). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), De Jesus'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 De Jesus the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

De Jesus waived his right to appeal his sentence. Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses no arguable issue as to the validity of the waiver. *See United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009). We accordingly dismiss the appeal. *See id.* at 988.

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

DISMISSED.