

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
JANUARY 22, 2009
THOMAS K. KAHN
CLERK

No. 08-14381
Non-Argument Calendar

D. C. Docket No. 05-00180-CR

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JAVIER MARTINEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida

(January 22, 2009)

Before BLACK, BARKETT and MARCUS, Circuit Judges.

PER CURIAM:

Donna Lee Elm, appointed counsel for Javier Martinez in this appeal of the

district court's denial of Martinez's sentence reduction, pursuant to 18 U.S.C. § 3582, has moved to withdraw from further representation and filed a brief pursuant to Anders v. California, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967). Our independent review of the entire record confirms that there are no issues of arguable merit on appeal. Therefore, counsel's motion to withdraw is GRANTED, and the denial of Martinez's 18 U.S.C. § 3582 sentence reduction is AFFIRMED.