

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 09-12711
Non-Argument Calendar

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| FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT JANUARY 11, 2010 JOHN P. LEY ACTING CLERK |
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D. C. Docket No. 07-00051-CR-JEC-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JUAN PABLO GUTIERREZ,
a.k.a. Pablo,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Georgia

(January 11, 2010)

Before DUBINA, Chief Judge, BLACK and ANDERSON, Circuit Judges.

PER CURIAM:

David R. MacKusick, appointed counsel for Juan Pablo Gutierrez in this

direct criminal appeal, has moved to withdraw from further representation of the appellant 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 reveals that counsel's assessment of the relative merit of the appeal is correct. Because independent examination of the entire record reveals no arguable issues of merit, counsel's motion to withdraw is **GRANTED**, and Gutierrez's conviction and sentence are **AFFIRMED**.