

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 09-16427  
Non-Argument Calendar

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FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT MAY 28, 2010 JOHN LEY CLERK
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D. C. Docket No. 95-00852-CR-UU

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE FABIO PINEDA,  
a.k.a. Fabio Pineda,  
a.k.a. Don Fabio,

Defendant-Appellant.

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

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(May 28, 2010)

Before TJOFLAT, MARCUS and ANDERSON, Circuit Judges.

PER CURIAM:

Ayana N. Harris, appointed counsel for Jose Fabio Pineda in his appeal from the district court's denial of his motion to reduce sentence, pursuant to 18 U.S.C. § 3582(c)(2), has filed a motion to withdraw from further representation of the appellant, supported by a brief prepared 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 the district court's denial of Pineda's § 3582(c)(2) motion is **AFFIRMED**.