

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 10-11682
Non-Argument Calendar

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| FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT MARCH 10, 2011 JOHN LEY CLERK |
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D. C. Docket No. 3:09-cr-00111-RV-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ALIRIO SILVA-MONTOYA,

Defendant-Appellant.

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

(March 10, 2011)

Before TJOFLAT, CARNES and BARKETT, Circuit Judges.

PER CURIAM:

Gwendolyn Spivey, appointed counsel for Alirio Silva-Montoya in this direct criminal appeal, has filed a motion to withdraw from further representation

of the appellant, because counsel believes that the appeal is without merit. Counsel has 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 record reveals that counsel's assessment of the relative merit of the appeal is correct. Because independent examination of the entire record reveals no arguably meritorious issues of merit, counsel's motion to withdraw is **GRANTED**, and Silva-Montoya's conviction and sentence are **AFFIRMED**.