

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

May 30, 2014

TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JUANITA VASQUEZ

Defendant - Appellant.

No. 13-2150
(D.C. No. 2:11-CR-02152-MV-1)
(D. N.M.)

ORDER AND JUDGMENT*

Before **HARTZ, McKAY** and **MATHESON**, Circuit Judges.

After examining the briefs and the appellate record, this panel has determined unanimously that oral argument would not materially assist in the determination of this appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). This case is therefore ordered submitted without oral argument.

The supervised release of Appellant Juanita Vasquez was revoked after an appropriate hearing. The court found that she failed to submit to random drug testing; left the district of New Mexico without permission and was in Texas between June 21 and 27, 2013; and failed to attend her mental health counseling session on June 26, 2013. The

* This order and judgment is not binding precedent, except under the doctrines of law of the case, *res judicata*, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

court sentenced her to six months in prison to be followed by two years of supervised release.

Counsel was appointed to represent her on appeal. Counsel certified she had carefully examined the record on appeal including both the conviction and the sentence as well as the relevant law. She concluded the appeal presents no reversible error, no legally non-frivolous questions, and no jurisdictional defects. She thereupon filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967). Having done so, she has filed a motion for leave to withdraw.

Having reviewed the *Anders* brief, Appellant's response thereto, and the record, we conclude that adequate evidence supports the court's findings and that the sentence is reasonable and within the appropriate guideline. There appears to be no other possible issue to appeal.

Therefore, counsel's motion to withdraw is **GRANTED** and the appeal is **DISMISSED**.

Entered for the Court

Monroe G. McKay
Circuit Judge