

FILED

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MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

LEONEL MARIN-TORRES,

Defendant-Appellant.

No. 16-30106

D.C. No. 3:14-cr-00386-HZ-1

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Marco A. Hernandez, District Judge, Presiding

Submitted November 17, 2017**

Before: FARRIS, CANBY, and SILVERMAN, Circuit Judges.

Leonel Marin-Torres appeals from the district court's judgment and challenges his conviction and 51-month sentence for assault of an officer, in violation of 18 U.S.C. §§ 111(a) and (b). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Marin-Torres's counsel has filed a brief stating that there are no

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

grounds for relief, along with a motion to withdraw as counsel of record. We have provided Marin-Torres the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

We affirm the judgment of the district court. The district court's protective order regarding discovery properly protected sensitive personnel information while giving the defense ample access to the necessary information. *See United States v. Marin-Torres*, 671 Fed.Appx. 468 (9th Cir. 1985). Marin-Torres's disruptive behavior justified the district court in revoking his self-representation and providing for representation by standby counsel. *See Faretta v. California*, 422 U.S. 806, 834-35 n.46 (1975). The other contentions offered by the *Anders* brief provide no basis for overturning the conviction or sentence. Finally, our independent review of the record pursuant to *Penon v. Ohio*, 488 U.S. 75, 80 (1988), discloses no arguable grounds for relief.

Counsel's motion to withdraw is **GRANTED**.

AFFIRMED.

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available in the
Clerk's Office.**