

APR 15 2010

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NOT FOR PUBLICATION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.

ARTURO GALLEGOS-DIAZ,
a.k.a. Alaquin and Nahum Copado-Nieto,

Defendant - Appellant.

No. 09-30074

D.C. No. 2:08-cr-00144-JLR

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
James L. Robart, District Judge, Presiding

Submitted April 5, 2010**

Before: RYMER, McKEOWN, and PAEZ, Circuit Judges.

Arturo Gallegos-Diaz appeals from his guilty-plea conviction and 216-month sentence for conspiracy to distribute methamphetamine, in violation of

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

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

21 U.S.C. §§ 841(a)(1), (b)(1)(A) and 846. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Gallegos-Diaz's counsel has filed a brief stating there are no grounds for relief, along with a motion to withdraw as counsel of record. We have considered the claims raised by Gallegos-Diaz's pro se letter submitted on June 19, 2009. No answering brief has been filed.

Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80-81 (1988), discloses no arguable grounds for relief on direct appeal.

Accordingly, counsel's motion to withdraw is **GRANTED**, Gallegos-Diaz's request for appointment of new counsel is denied, and the district court's judgment is **AFFIRMED**.