

MAY 27 2011

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff - Appellee,</p> <p>v.</p> <p>RUDYARD C. WILLIAMS,</p> <p>Defendant - Appellant.</p>

No. 09-10312

D.C. No. 4:07-CR-01009-RCC

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Raner C. Collins, District Judge, Presiding

Submitted May 24, 2011**

Before: PREGERSON, THOMAS, and PAEZ, Circuit Judges.

Rudyard C. Williams appeals from his jury-trial conviction and 120-month sentence for possession with intent to distribute marijuana, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B), and possession of a firearm in furtherance of a drug trafficking offense, in violation of 18 U.S.C. § 924(c)(1)(A)(i). Pursuant to

* 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).

Anders v. California, 386 U.S. 738 (1967), Williams’s counsel has filed a brief stating there are no arguable grounds for relief, along with a motion to withdraw as counsel of record. We have provided the appellant with the opportunity to file a pro se supplemental brief. Williams has filed pro se supplemental briefs and the appellee has filed an answering brief.

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

We grant the government’s motion to strike factual allegations in William’s pro se reply brief that are not part of the district court record. *See Lowry v. Barnhart*, 329 F.3d 1019, 1024-26 (9th Cir. 2003).

Counsel’s motion to withdraw is **GRANTED**, and the district court’s judgment is **AFFIRMED**.