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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NOT FOR PUBLICATION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>PEGGY SUE LIENDO VELASQUEZ,</p> <p>Defendant - Appellant.</p>
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No. 10-50362

D.C. No. 2:08-cr-01061-VBF

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Valerie Baker Fairbank, District Judge, Presiding

Submitted November 21, 2011**

Before: TASHIMA, BERZON, and TALLMAN, Circuit Judges.

Peggy Sue Liendo Velasquez appeals from her guilty-plea conviction and 120-month sentence for conspiracy to distribute methamphetamine, in violation of 21 U.S.C. § 846. Pursuant to *Anders v. California*, 386 U.S. 738 (1967),

* 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).

Velasquez's counsel has filed a brief stating there are no grounds for relief, along with a motion to withdraw as counsel of record.

In her pro se supplemental brief, Velasquez contends that her trial counsel was ineffective, and also challenges the amount of drugs attributed to her.

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. We decline to address Velasquez's claim of ineffective assistance of counsel on direct appeal as the record is insufficiently developed and her legal representation was not so inadequate that it can be concluded at this point that she obviously was denied his Sixth Amendment right to counsel. *See United States v. McKenna*, 327 F.3d 830, 845 (9th Cir. 2003) ("Claims of ineffective assistance of counsel are generally inappropriate on direct appeal.").

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

AFFIRMED.