

DEC 21 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NOT FOR PUBLICATION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>STEVE ERIC KEY, a.k.a. Seal A,</p> <p>Defendant - Appellant.</p>

No. 10-50325

D.C. No. 2:99-cr-01095-SVW

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Stephen V. Wilson, District Judge, Presiding

Submitted December 19, 2011**

Before: GOODWIN, WALLACE, and McKEOWN, Circuit Judges.

Steve Eric Key appeals from the district court’s order denying his 18 U.S.C. § 3582(c)(2) motion for reduction of sentence. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Key’s counsel has filed a brief stating there are no grounds for relief, along with a motion to withdraw as counsel of record.

* 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).

In his pro se supplemental brief, Key challenges his career offender status and alleges procedural errors at the original sentencing.

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**, Key's pro se motion for new counsel is **DENIED**, and the district court's judgment is **AFFIRMED**.