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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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| <p>UNITED STATES OF AMERICA,</p> <p>Plaintiff - Appellee,</p> <p>v.</p> <p>LEWIS LEE SETTLES,</p> <p>Defendant - Appellant.</p> |
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No. 10-50087

D.C. No. 2:08-cr-00564-ODW

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Otis D. Wright, District Judge, Presiding

Submitted January 17, 2012 **

Before: LEAVY, TALLMAN, and CALLAHAN, Circuit Judges.

Lewis Lee Settles appeals from the 180-month aggregate sentence imposed following his guilty-plea convictions for drug and firearm crimes. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Settles’s counsel has filed a brief

* 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).

stating there are no 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. No pro se supplemental brief or 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**, and the district court's judgment is **AFFIRMED**.¹

¹ Appellant's December 30, 2011, motion requesting leave to file late supplemental excerpts of record is GRANTED. The Clerk is directed to file Settles's supplemental excerpts of record received on December 14, 2011.