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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NOT FOR PUBLICATION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 style="text-align: center;">Plaintiff - Appellee,</p> <p>v.</p> <p>LEO RICKEY EVANS, a.k.a. Lemon Head, a.k.a. Paper,</p> <p style="text-align: center;">Defendant - Appellant.</p>

No. 11-50463

D.C. No. 2:10-cr-00923-SJO

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
S. James Otero, District Judge, Presiding

Submitted November 13, 2012**

Before: CANBY, TROTT, and W. FLETCHER, Circuit Judges.

Leo Rickey Evans appeals from his guilty-plea conviction and 192-month sentence for Racketeer Influenced and Corrupt Organizations conspiracy, in violation of 18 U.S.C. § 1962(d); and conspiracy to possess with intent 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).

distribute at least five grams of cocaine base, in violation of 21 U.S.C. §§ 841(a), (b)(1)(A), and 846. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Evans'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 provided Evans 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 (1988), discloses no arguable grounds for relief on direct appeal.

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

AFFIRMED.