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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NOT FOR PUBLICATION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>DEVONNE MICHAEL LEE,</p> <p>Defendant - Appellant.</p> |
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No. 12-30040

D.C. No. 2:06-cr-00062-JLR

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
James L. Robart, District Judge, Presiding

Submitted November 13, 2012**

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

Devonne Michael Lee appeals from the district court’s order granting his 18 U.S.C. § 3582(c)(2) motion for reduction of sentence. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Lee’s counsel has filed a brief stating there are no

* 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).

grounds for relief, along with a motion to withdraw as counsel of record. We have provided Lee 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.