

JAN 24 2014

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NOT FOR PUBLICATION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 style="text-align: center;">Plaintiff - Appellee,</p> <p>v.</p> <p>ELIOTT JAY DRESHER, a.k.a. Elliott Dresher,</p> <p style="text-align: center;">Defendant - Appellant.</p>
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No. 12-50578

D.C. No. 2:09-cr-01265-PSG

MEMORANDUM*

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

Submitted January 21, 2014**

Before: CANBY, SILVERMAN, and PAEZ, Circuit Judges.

Elliott Jay Dresher appeals from the district court’s judgment and challenges the \$8,880,389.05 order of restitution imposed following his guilty-plea conviction

* 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).

for mail fraud, in violation of 18 U.S.C. § 1341. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Dresher's counsel has filed a brief stating that there are no grounds for relief, along with a motion to withdraw as counsel of record. Dresher has filed a pro se supplemental brief, and the government has filed an answering brief.

Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses no arguable grounds for relief as to the restitution order.

Counsel's motion to withdraw is **GRANTED**. Dresher's request for appointment of new counsel is **DENIED**.

AFFIRMED.