UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

OCT 19 2015

UNITED STATES OF AMERICA,	No. 14-50571
Plaintiff - Appellee,	D.C. No. 2:12-cr-00544-MWF
v.	
JOSEPH MARTIN FERGUSON,	MEMORANDUM[*]
Defendant - Appellant.	

Appeal from the United States District Court
for the Central District of California
Michael W. Fitzgerald, District Judge, Presiding

Submitted October 14, 2015[**]

Before: SILVERMAN, BYBEE, and WATFORD, Circuit Judges.

Joseph Martin Ferguson appeals from the district court's judgment and

challenges his guilty-plea conviction and 188-month sentence for conspiracy to

distribute methamphetamine, in violation of 21 U.S.C. §§ 841(b)(1)(A)(viii), 846.

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Ferguson's counsel has

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        [**]   The panel unanimously concludes this case is suitable for decision
without oral argument. *See* Fed. R. App. P. 34(a)(2).

filed a brief stating that there are no grounds for relief, along with a motion to withdraw as counsel of record. We have provided Ferguson the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Ferguson waived his right to appeal his conviction, with the exception of an appeal based on a claim that his plea was involuntary. He also waived the right to appeal five specified issues related to his sentence. 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 voluntariness of Ferguson's plea or any sentencing issues outside the scope of the appeal waiver. We therefore affirm as to those issues. We dismiss the remainder of the appeal in light of the valid appeal waiver. *See United States v. Watson*, 582 F.3d 974, 988 (9th Cir. 2009).

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

AFFIRMED in part; DISMISSED in part.

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