

OCT 19 2015

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

STEVEN G. GREGORY,

Defendant - Appellant.

No. 15-30010

D.C. No. 1:14-cr-00197-BLW

MEMORANDUM*

Appeal from the United States District Court
for the District of Idaho
B. Lynn Winmill, Chief Judge, Presiding

Submitted October 14, 2015**

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

Steven G. Gregory appeals from the district court's judgment and challenges his guilty-plea conviction and 30-month sentence for bankruptcy fraud (asset concealment) and aiding and abetting, in violation of 18 U.S.C. §§ 2 and 152(1).

* 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). Gregory's pro se request for oral argument is denied.

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Gregory’s counsel has filed a brief stating that there are no grounds for relief, along with a motion to withdraw as counsel of record. Gregory has filed a pro se supplemental brief. No answering brief has been filed.

Gregory waived his right to appeal his conviction and sentence. Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses no arguable issue as to the validity of the waiver. *See United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009). We accordingly dismiss the appeal. *See id.* at 988.

We decline to review Gregory’s pro se ineffective assistance of counsel claims on direct appeal because this is not one of the “unusual cases where (1) the record on appeal is sufficiently developed to permit determination of the issue, or (2) the legal representation is so inadequate that it obviously denies a defendant his Sixth Amendment right to counsel.” *United States v. Rahman*, 642 F.3d 1257, 1260 (9th Cir. 2011).

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

Gregory’s pro se motions to expedite this appeal and for a stay of incarceration pending appeal are **DENIED** as moot.

DISMISSED.