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U.S. COURT OF APPEALS

## NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MICHAEL IZELL SEALS,

Petitioner - Appellant,

v.

FRANCISCO JACQUEZ, Warden; BILL  
LOCKYER,

Respondents - Appellees.

No. 13-16930

D.C. No. 4:10-cv-03707-PJH

MEMORANDUM\*

Appeal from the United States District Court  
for the Northern District of California  
Phyllis J. Hamilton, Chief Judge, Presiding

Submitted November 18, 2015\*\*

Before: TASHIMA, OWENS, and FRIEDLAND, Circuit Judges.

Michael Izell Seals appeals from the district court's judgment dismissing his 28 U.S.C. § 2254 habeas petition. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Seals's counsel has filed a brief stating that there are no grounds for relief,

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\* 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).

along with a motion to withdraw as counsel of record. Seals filed pro se supplemental briefs on July 14 and 15, and August 19, 2015, which we have considered. No answering brief has been filed.

Our independent review of the briefing and record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses that the certified issue provides no basis for appellate relief, see *Graves v. McEwen*, 731 F.3d 876, 880-81 (9th Cir. 2013), and we decline to expand the certificate of appealability to cover the uncertified issues identified in Seals's pro se briefing. See 28 U.S.C. § 2253(c)(2); 9th Cir. R. 22-1(e); *Hiivala v. Wood*, 195 F.3d 1098, 1104-05 (9th Cir. 1999) (per curiam).

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

All other pending motions are denied.

**AFFIRMED.**