

DEC 14 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NOT FOR PUBLICATION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.

GREGORY ALAN GRIMALDO,

Defendant - Appellant.

No. 15-10221

D.C. No. 2:10-cr-00355-GEB

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Garland E. Burrell, Jr., District Judge, Presiding

Submitted December 9, 2015**

Before: WALLACE, RAWLINSON, and IKUTA, Circuit Judges.

Gregory Alan Grimaldo appeals from the district court's judgment and challenges the 18-month sentence imposed upon revocation of supervised release.

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Grimaldo's counsel has filed a brief stating that there are no grounds for relief, along with a motion to

* 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).

withdraw as counsel of record. Grimaldo 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 on direct appeal.

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

Grimaldo's pro se motion for bail pending appeal is **DENIED** as moot.

AFFIRMED.