

APR 01 2016

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSHUA ALBERTO RODRIGUEZ, a.k.a.  
Pariente,

Defendant - Appellant.

No. 15-30185

D.C. No. 4:14-cr-00096-BMM-15

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Montana  
Brian M. Morris, District Judge, Presiding

Submitted March 30, 2016\*\*

Before: HUG, FARRIS, and CANBY, Circuit Judges.

Joshua Alberto Rodriguez appeals from the district court's judgment and challenges his guilty-plea convictions and his 270-month sentence for conspiracy to possess with intent to distribute and to distribute methamphetamine, in violation

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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).

of 21 U.S.C. § 846, and his concurrent 240-month sentences for conspiracy involving a firearm and a drug trafficking crime, in violation of 18 U.S.C. § 924(o), and conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Rodriguez's counsel has filed a brief stating that there are no grounds for relief, along with a motion to withdraw as counsel of record. We have provided Rodriguez the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

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 Rodriguez's conviction. We accordingly affirm his conviction.

Rodriguez has waived his right to appeal his sentence. Because the record discloses no arguable issue as to the validity of the appeal waiver, we dismiss the appeal as to his sentence. *See United States v. Watson*, 582 F.3d 974, 986 (9th Cir. 2009).

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

**AFFIRMED** in part; **DISMISSED** in part.