

FILED

MAY 23 2016

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NOT FOR PUBLICATION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.

ORAY PAPA FIFER, a.k.a. Duwayne
Harris, a.k.a. Shawn Phillips, a.k.a.
Special,

Defendant - Appellant.

No. 15-30214

D.C. No. 4:99-cr-00014-CCL-1

MEMORANDUM*

Appeal from the United States District Court
for the District of Montana
Charles C. Lovell, Senior District Judge, Presiding

Submitted May 19, 2016**

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

Oray Papa Fifer appeals from the district court's order denying his 18 U.S.C. § 3582(c)(2) motion for a sentence reduction. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Fifer's counsel has filed a brief stating that there are no

* 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).

grounds for relief, along with a motion to withdraw as counsel of record. We have provided Fifer the opportunity to file a pro se supplemental brief. He has filed a pro se supplemental brief. No 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 on direct appeal.

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

AFFIRMED.