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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff-Appellee,</p> <p>v.</p> <p>ALICIA MARIE CANALES,</p> <p>Defendant-Appellant.</p>
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No. 15-30395

D.C. No.  
9:13-cr-00013-DWM-1

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Montana  
Donald W. Molloy, District Judge, Presiding

Submitted November 7, 2016\*\*

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

Alicia Marie Canales appeals from the district court’s judgment and challenges her guilty-plea conviction and 54-month sentence for conspiracy to distribute methamphetamine, in violation of 21 U.S.C. § 846. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Canales’s counsel has filed a brief stating that

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

there are no grounds for relief, along with a motion to withdraw as counsel of record. Canales 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 with respect to the conviction. We therefore affirm the conviction.

Canales entered into a plea agreement that included an appeal waiver with respect to the sentence. Because the record discloses no arguable issue as to the validity of that waiver, we dismiss the remainder of Canales's appeal. *See United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009).

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

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