

FILED

AUG 18 2017

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NOT FOR PUBLICATION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.

JAMES DALE PRESSNALL,

Defendant-Appellant.

No. 16-30242

D.C. No.  
3:15-cr-00266-BLW-1

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Idaho  
B. Lynn Winmill, Chief Judge, Presiding

Submitted August 16, 2017\*\*

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

James Dale Presnall appeals from the district court's judgment and challenges his guilty-plea conviction and 63-month sentence for possession of sexually explicit images of minors, in violation of 18 U.S.C. §§ 2252(a)(4)(B).

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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).

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Pressnall'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 Pressnall the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Pressnall has waived the right to appeal his sentence. Because the record discloses no arguable issue as to the validity of the appeal waiver, we dismiss the appeal. *See United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009).

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

**DISMISSED.**