

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

OCT 27 2017

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

No. 16-10441

Plaintiff-Appellee,

D.C. No. 2:16-cr-00355-SPL

v.

MEMORANDUM*

JAMES L. FORD, a.k.a. James Ford,

Defendant-Appellant.

Appeal from the United States District Court
for the District of Arizona
Steven P. Logan, District Judge, Presiding

Submitted October 23, 2017**

Before: LEAVY, WATFORD, and FRIEDLAND, Circuit Judges.

James L. Ford appeals from the district court's judgment and challenges his guilty-plea conviction and ten-month sentence for escape, in violation of 18 U.S.C. §§ 751(a) and 4082(a). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Ford's counsel has filed a brief stating that there are no grounds for relief, along

* 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).

with a motion to withdraw as counsel of record. We construe the letter submitted by Ford on September 19, 2017, as a pro se supplemental brief. No answering brief has been filed.

Ford waived his right to appeal his conviction and sentence. Our independent review of the record pursuant to *Penon v. Ohio*, 488 U.S. 75, 80 (1988), discloses no arguable issue as to the validity of the waiver. *See United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009). We accordingly dismiss the appeal. *See id.* at 988.

To the extent that Ford seeks to raise a claim of ineffective assistance of counsel, we decline to address this issue on direct appeal. *See United States v. Rahman*, 642 F.3d 1257, 1259-60 (9th Cir. 2011).

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

DISMISSED.