

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 20 2017

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 17-30054

Plaintiff-Appellee,

D.C. No. 2:15-cr-00202-JCC

v.

MEMORANDUM*

ENRIQUE AGUILAR VALENCIA,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Washington
John C. Coughenour, District Judge, Presiding

Submitted December 18, 2017**

Before: WALLACE, SILVERMAN, and BYBEE, Circuit Judges.

Enrique Aguilar Valencia appeals from the district court's judgment and challenges his guilty-plea conviction and 144-month sentence for conspiracy to distribute controlled substances, in violation of 21 U.S.C. §§ 841(a), (b)(1)(A), and 846; and conspiracy to commit money laundering, in violation of 18 U.S.C.

* 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).

§ 1956(a)(1) and (h). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Aguilar Valencia'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 construe the letter submitted by Aguilar Valencia on December 15, 2017, as a pro se supplemental brief.

Aguilar Valencia 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 Aguilar Valencia 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.