

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 13 2018

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 17-10226

Plaintiff-Appellee,

D.C. No. 4:16-cr-00292-YGR

v.

MEMORANDUM*

SHAWAN SPRAGANS,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of California
Yvonne Gonzalez Rogers, District Judge, Presiding

Submitted April 11, 2018**

Before: SILVERMAN, PAEZ, and OWENS, Circuit Judges.

Shawan Spragans appeals from the district court's judgment and challenges his guilty-plea convictions and 240-month sentence for conspiracy to commit robbery affecting interstate commerce, attempted robbery and robbery affecting interstate commerce, in violation of 18 U.S.C. § 1951(a); discharging a firearm

* 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).

during and in relation to a crime of violence, in violation of 18 U.S.C. § 924(c)(1)(A)(iii); and being a felon in possession of a firearm and ammunition, in violation of 18 U.S.C. § 922(g)(1). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Spragans'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 Spragans the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Spragans waived his right to appeal his conviction and sentence. Our independent review of the record pursuant to *Penson 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.

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

DISMISSED.