

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 12 2018

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

VICTOR CHARLES FOURSTAR, Jr.,

Defendant-Appellant.

Nos. 17-30112

17-30211

D.C. No. 4:02-cr-00052-DLC

MEMORANDUM*

Appeal from the United States District Court
for the District of Montana

Dana L. Christensen, Chief Judge, Presiding

Submitted July 10, 2018**

Before: CANBY, W. FLETCHER, and CALLAHAN, Circuit Judges.

In these consolidated appeals, Victor Charles Fourstar, Jr., appeals from the revocations of supervised release and 6-month sentence imposed upon his second revocation to be followed by 49 months of supervised release. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Fourstar's counsel has filed a brief stating that

* 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. Fourstar has filed multiple pro se supplemental briefs. We have considered all of the arguments raised in the supplemental briefs, as well as in Fourstar's motion for alternate counsel. 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 in these direct appeals.

We decline to address on direct appeal Fourstar's pro se claim of ineffective assistance of counsel. *See United States v. Rahman*, 642 F.3d 1257, 1259-60 (9th Cir. 2011).

Counsel's motion to withdraw is **GRANTED**. Fourstar's pro se motion for alternate counsel is **DENIED**.

AFFIRMED.