

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 18 2018

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 18-10020

Plaintiff-Appellee,

D.C. No. 2:16-cr-00056-GMN

v.

MEMORANDUM*

DEVIN BASS, a.k.a. Sauce G,

Defendant-Appellant.

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

Gloria M. Navarro, Chief Judge, Presiding

Submitted September 12, 2018**

Before: LEAVY, HAWKINS, and TALLMAN, Circuit Judges.

Devin Bass appeals from the district court's judgment and challenges his guilty-plea conviction and 60-month sentence for distribution of a controlled substance, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Bass's counsel has filed a brief stating

* 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).

that there are no grounds for relief, along with a motion to withdraw as counsel of record. We have provided Bass the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Bass 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.