

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 8 2020

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

KEVIN DEAN MCCOY,

Defendant-Appellant.

No. 19-10299

D.C. No. 2:17-cr-00317-JAT-3

MEMORANDUM\*

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

James A. Teilborg, District Judge, Presiding

Submitted June 2, 2020\*\*

Before: LEAVY, PAEZ, and BENNETT, Circuit Judges.

Kevin Dean McCoy appeals from the district court's judgment and challenges his guilty-plea convictions and 180-month sentence for conspiracy to possess with intent to distribute controlled substances, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(i), (b)(1)(A)(viii), (b)(1)(B)(ii), and 846, and money

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\* 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).

laundering conspiracy, in violation of 18 U.S.C. § 1956(h). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), McCoy'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 McCoy the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

McCoy 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.**