

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 16 2020

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

DANIEL RODRIGUEZ-SANTOS,

Defendant-Appellant.

No. 19-30187

D.C. No. 1:18-cr-02042-SMJ-1

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of Washington
Salvador Mendoza, Jr., District Judge, Presiding

Submitted September 8, 2020**

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

Daniel Rodriguez-Santos appeals from the district court's judgment and challenges his jury-trial conviction and 144-month sentence for possession with intent to distribute methamphetamine, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B)(viii), and possession of a firearm in furtherance of a drug trafficking

* 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).

crime, in violation of 18 U.S.C. § 924(c)(1)(A). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Rodriguez-Santos's counsel has filed a brief stating that there are no grounds for relief, along with a motion to withdraw as counsel of record. Rodriguez-Santos has filed a pro se supplemental brief. 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 on direct appeal. Contrary to Rodriguez-Santos's argument in his pro se brief, counsel's brief comports with the requirements of *Anders*. See *Anders*, 386 U.S. at 744.

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

AFFIRMED.