

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 21 2021

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 21-15592

Plaintiff-Appellee,

D.C. Nos.

v.

2:20-cv-01073-APG

2:18-cr-00055-APG-GWF-1

CEMONE CHAMPAGNE LEWIS,

MEMORANDUM*

Defendant-Appellant.

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

Andrew P. Gordon, District Judge, Presiding

Submitted December 14, 2021**

Before: WALLACE, CLIFTON, and HURWITZ, Circuit Judges.

Cemone Champagne Lewis appeals from the district court's judgment denying his 28 U.S.C. § 2255 motion to vacate his conviction and sentence.

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Lewis's counsel has filed a brief stating that there are no grounds for relief, along with a motion to withdraw

* 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).

as counsel of record. We have provided Lewis the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Our independent review of the briefing and record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses that the certified issue provides no basis for appellate relief. *See Graves v. McEwen*, 731 F.3d 876, 880-81 (9th Cir. 2013).

Lewis's counsel's motion to withdraw is **GRANTED**.

AFFIRMED.