

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 22 2023

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JUAN MARQUIS HOLIDAY,

Defendant - Appellant.

No. 23-445

D.C. No. 3:17-cr-01370-AJB-1

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Anthony J. Battaglia, District Judge, Presiding

Submitted November 14, 2023**

Before: SILVERMAN, WARDLAW, and TALLMAN, Circuit Judges.

Juan Marquis Holiday appeals from the district court's judgment and challenges the 64-year-and-10-month sentence imposed on remand for resentencing following his jury-trial convictions for multiple counts of interference and attempted interference with commerce by robbery and brandishing and

* 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).

discharging a firearm during and in relation to a crime of violence, in violation of 18 U.S.C. §§ 2, 1951, and 924(c), respectively. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Holiday'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 Holiday 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 record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses no arguable grounds for relief on direct appeal.

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

Holiday's pro se motion to appoint new counsel is **DENIED**.

AFFIRMED.