

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 19 2024

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 22-30193

Plaintiff-Appellee,

D.C. No. 1:18-cr-00112-SPW-1

v.

MEMORANDUM*

SHAWN MICHAEL BALL,

Defendant-Appellant.

Appeal from the United States District Court
for the District of Montana
Susan P. Watters, District Judge, Presiding

Submitted January 17, 2024**

Before: S.R. THOMAS, McKEOWN, and HURWITZ, Circuit Judges.

Shawn Michael Ball appeals from the district court's judgment and challenges the revocation of his supervised release and sentence of 6 months' imprisonment and 54 months' supervised release. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Ball's counsel has filed a brief stating that there

* 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).

are no grounds for relief, along with a motion to withdraw as counsel of record.

Ball 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. Ball's pro se arguments are unavailing. Any request to modify the conditions of supervised release must be directed to the district court. *See* 18 U.S.C. § 3583(e)(2).

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

AFFIRMED.