

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 4 2025

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

LONNIE EUGENE LILLARD,

Defendant - Appellant.

No. 24-3055

D.C. No. 2:16-cr-00007-RSM-1

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Ricardo S. Martinez, District Judge, Presiding

Submitted May 21, 2025**

Before: SILVERMAN, LEE, and VANDYKE, Circuit Judges.

Lonnie Eugene Lillard appeals from the district court's order denying resentencing in this case following this court's remand in his related supervised release proceedings, and the amended judgment modifying the restitution order.

Lillard's counsel filed a brief under *Anders v. California*, 386 U.S. 738

* 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).

(1967), stating that there are no non-frivolous arguments for appeal. Lillard has filed a pro se supplemental brief.

Our independent review of the record, *see Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses no non-frivolous arguments for appeal. The district court properly concluded that this court’s prior decision did not permit resentencing in the instant case. *See United States v. Lillard*, 57 F.4th 729, 738 (9th Cir. 2023) (“We vacate the 36-month sentence imposed for Lillard’s violation of supervised release and remand to the district court for re-sentencing *in that case*.” (emphasis added)). Lillard’s arguments to the contrary are unavailing.

Counsel’s motion to withdraw is granted. Lillard’s requests for appointment of new counsel and amicus curiae are denied.

Lillard’s request for remand to a different district judge is denied as moot.

AFFIRMED.