

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

OCT 22 2025

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ZEBULION IAN LISTER,

Defendant - Appellant.

No. 24-4538

D.C. No. 1:22-cr-02006-MKD-1

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of Washington
Mary K. Dimke, District Judge, Presiding

Submitted August 19, 2025**

Before: SILVERMAN, HURWITZ, and BADE, Circuit Judges.

Zebulion Ian Lister appeals from the district court's judgment and challenges his guilty-plea conviction and 30-month sentence for being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1).

Lister'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. Lister has not filed a pro se supplemental brief.

In the plea agreement, Lister waived his right to appeal the conviction and sentence.

Our independent review of the record, *see Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses no non-frivolous issue as to whether the appeal waiver is enforceable. *See United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009). We therefore dismiss the appeal. *See id.* at 988.

Counsel's motion to withdraw is granted.

DISMISSED.