

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAY 13 2026

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

VICTOR MANUEL CHAVARRIA, AKA
Ernie,

Defendant - Appellant.

No. 25-4407

D.C. No.

8:22-cr-00066-PA-1

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Percy Anderson, District Judge, Presiding

Submitted April 22, 2026**

Before: LEE, DESAI, and JOHNSTONE, Circuit Judges.

Victor Manuel Chavarria appeals from the district court's judgment and challenges his guilty-plea conviction and aggregate 135-month sentence for possession with intent to distribute methamphetamine and engaging in the business

* 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).

of dealing firearms without a license in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii), and 18 U.S.C. § 922(a)(1)(A), respectively.

Chavarria's counsel filed a brief under *Anders v. California*, 386 U.S. 738 (1967), stating that there are no non-frivolous arguments for appeal. Chavarria has not filed a pro se supplemental brief.

In the plea agreement, Chavarria waived the right to appeal the conviction, except to claim the plea was involuntary, and waived the right to appeal most aspects of the sentence. Our independent review of the record, *see Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses no basis to challenge the voluntariness of Chavarria's plea or any aspect of the sentence that falls outside the appeal waiver. We therefore affirm as to those issues.

We dismiss the remainder of the appeal because there is 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).

Chavarria's pro se motion to substitute counsel is denied. Counsel's motion to withdraw is granted.

AFFIRMED in part; DISMISSED in part.