

JAN 22 2008

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GERALD EUGENE OLSEN, JR.,

Defendant - Appellant.

No. 07-30037

D.C. No. CR-05-00068-RFC

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Montana  
Richard F. Cebull, District Judge, Presiding

Submitted January 14, 2008\*\*

Before: HALL, O'SCANLAIN, and PAEZ, Circuit Judges.

Gerald Eugene Olsen, Jr. appeals from his 240-month sentence for conspiracy to possess with intent to distribute and to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and 851. Pursuant to *Anders v.*

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

*California*, 386 U.S. 738 (1967), Olsen’s counsel has filed a brief stating there are no grounds for relief, along with a motion to withdraw as counsel of record. We have provided the appellant 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, 82-83 (1988), discloses no grounds for relief on direct appeal.

Accordingly, counsel’s motion to withdraw is **GRANTED**, and the sentence is **AFFIRMED**.