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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff - Appellee,</p> <p>v.</p> <p>ANGELINA C. PATAO,</p> <p>Defendant - Appellant.</p>

No. 07-10266

D.C. No. CR-05-00476-HG

MEMORANDUM*

Appeal from the United States District Court
for the District of Hawaii
Helen Gillmor, District Judge, Presiding

Submitted January 14, 2008**

Before: HALL, O’SCANNLAIN, and PAEZ, Circuit Judges.

Angelina C. Patao appeals from her guilty-plea conviction and 200-month sentence for conspiracy to distribute and possess with intent to distribute 500 grams or more of methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1),

* 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).

841(b)(1)(A), and 846. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Patao's counsel has filed a brief stating there are no grounds for relief, along with a motion to withdraw as counsel of record. No pro se supplemental brief has been filed. The government has filed a motion to dismiss the appeal.

Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80-81 (1988), discloses no grounds for relief on direct appeal. We affirm the conviction, and we dismiss the appeal of the sentence based on a valid appeal waiver.

Counsel's motion to withdraw is granted.

The government's motion to dismiss is granted in part.

Conviction **AFFIRMED**; Appeal of sentence **DISMISSED**.