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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA, Plaintiff - Appellee, v. JOEL HARO, Defendant - Appellant.	No. 07-50141 D.C. No. CR-05-00578-JFW-13 MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
John F. Walter, District Judge, Presiding

Submitted February 18, 2009**

Before: BEEZER, FERNANDEZ, and W. FLETCHER, Circuit Judges.

Joel Haro appeals from the 120-month sentence imposed following his guilty-plea conviction for Racketeer Influenced and Corrupt Organizations Conspiracy, in violation of 18 U.S.C. § 1962(d), and conspiracy, in violation of 21

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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).

DAT/Research

U.S.C. §§ 841(a)(1), (b)(1)(A), (b)(1)(B), and 846.

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Haro's counsel has filed a brief stating there are no arguable grounds for relief, along with a motion to withdraw as counsel of record. We have provided the appellant with 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, 80-81 (1988), discloses no arguable grounds for relief on direct appeal with the exception of Condition 7 on page 2 of the judgment, prohibiting Haro from associating with any member of a "disruptive group." We remand to the district court to excise this portion of Condition 7 from Haro's supervised release conditions pursuant to *United States v. Soltero*, 510 F.3d 858, 867 (9th Cir. 2007) (per curiam).

Counsel's motion to withdraw is **GRANTED.**

AFFIRMED in part; REMANDED in part.