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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p style="text-align: center;">Plaintiff - Appellee,</p> <p style="text-align: center;">v.</p> <p>QUINCY B. PONGAH,</p> <p style="text-align: center;">Defendant - Appellant.</p>
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No. 06-30473

D.C. No. CR-05-00263-BLW

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Idaho  
B. Lynn Winmill, District Judge, Presiding

Submitted February 18, 2009\*\*

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

Quincy B. Pongah appeals from his jury-trial conviction and 84-month sentence for possession with intent to distribute methamphetamine, in violation of

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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).

21 U.S.C. § 841(a)(1), and resisting an officer, in violation of 18 U.S.C. § 111.

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Pongah'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, 80-81 (1988), discloses no arguable grounds for relief on direct appeal.

Counsel's motion to withdraw is **GRANTED**, and the district court's judgment is **AFFIRMED**.