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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NOT FOR PUBLICATION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. JAVIER ARAMBURO OSUNA, Defendant - Appellant.	No. 07-50149 D.C. No. CR-05-00360-DSF MEMORANDUM [*]

Appeal from the United States District Court
for the Central District of California
Dale S. Fischer, District Judge, Presiding

Submitted August 20, 2009[**]

Before: WALLACE, HAWKINS, and THOMAS, Circuit Judges.

Javier Aramburo Osuna appeals from his guilty-plea conviction and 151-month sentence for possession with intent to distribute a controlled substance, in

[*] 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).

DRS/Research

violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Osuna'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.

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