

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 05 2017

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

LATUNIUA POHAHAU,

Defendant-Appellant.

No. 16-10050

D.C. No.

1:13-cr-00877-DKW-2

MEMORANDUM*

Appeal from the United States District Court
for the District of Hawaii
Derrick Kahala Watson, District Judge, Presiding

Submitted January 3, 2017**

Before: HUG, FARRIS, and CANBY, Circuit Judges.

Latuniua Pohahau appeals from the district court's judgment and challenges his guilty-plea conviction and 210-month sentence for conspiracy to distribute and possess with intent to distribute 50 grams or more of methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), and 846. Pursuant to *Anders v.*

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

California, 386 U.S. 738 (1967), Pohahau's counsel has filed a brief stating that there are no grounds for relief, along with a motion to withdraw as counsel of record. We have provided Pohahau the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Pohahau has waived his right to appeal his conviction and sentence.

Because the record discloses no arguable issue as to the validity of the appeal waiver, we dismiss the appeal. *See United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009).

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

DISMISSED.