UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,	No. 22-30104
Plaintiff-Appellee,	D.C. No. 4:21-cr-00069-BMM-1
v.	
NICOLE ANN LOPEZ,	MEMORANDUM*
Defendant-Appellant.	

Appeal from the United States District Court
for the District of Montana
Brian M. Morris, District Judge, Presiding

Submitted November 15, 2022**

Before: CANBY, CALLAHAN, and BADE, Circuit Judges.

Nicole Ann Lopez appeals from the district court's judgment and challenges

her guilty-plea conviction and 30-month sentence for wire fraud, in violation of 18

U.S.C. § 1343. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Lopez's

counsel has filed a brief stating that there are no grounds for relief, along with a

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*   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).

motion to withdraw as counsel of record. Lopez has filed a pro se supplemental brief. No answering brief has been filed.

Lopez waived her right to appeal her conviction and sentence. Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses no arguable issue as to the validity of the waiver. *See United States v. Watson*, 582 F.3d 974, 986-88 (9th Cir. 2009). We accordingly dismiss the appeal. *See id.* at 988.

We decline to address on direct appeal Lopez's pro se claims of ineffective assistance of counsel. *See United States v. Rahman*, 642 F.3d 1257, 1259-60 (9th Cir. 2011) (holding that we review ineffective assistance of counsel claims on direct appeal only in the unusual case where the record is sufficiently developed or the legal representation is so obviously inadequate that it denies a defendant her Sixth Amendment right to counsel).

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

DISMISSED.