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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NOT FOR PUBLICATION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>v.</p> <p>LEO RICKEY EVANS, a.k.a. Lemon Head, a.k.a. Paper,</p> <p style="text-align: center;">Defendant - Appellant.</p>

No. 11-50463

D.C. No. 2:10-cr-00923-SJO

MEMORANDUM*

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

Submitted November 13, 2012**

Before: CANBY, TROTT, and W. FLETCHER, Circuit Judges.

Leo Rickey Evans appeals from his guilty-plea conviction and 192-month sentence for Racketeer Influenced and Corrupt Organizations conspiracy, in violation of 18 U.S.C. § 1962(d); and conspiracy to possess with intent to

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

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

distribute at least five grams of cocaine base, in violation of 21 U.S.C. §§ 841(a), (b)(1)(A), and 846. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Evans'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 Evans 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 (1988), discloses no arguable grounds for relief on direct appeal.

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

AFFIRMED.