

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 13 2018

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 16-50293

Plaintiff-Appellee,

D.C. No. 2:13-cr-00489-GW

v.

MEMORANDUM*

BRUCE R. SANDS, Jr.,

Defendant-Appellant.

Appeal from the United States District Court
for the Central District of California
George H. Wu, District Judge, Presiding

Submitted April 11, 2018**

Before: SILVERMAN, PAEZ, and OWENS, Circuit Judges.

Bruce R. Sands, Jr., appeals from the district court's judgment and challenges his guilty-plea convictions and 135-month aggregate sentence for mail fraud, in violation of 18 U.S.C. § 1341; wire fraud, in violation of 18 U.S.C. § 1343; and transactional money laundering, in violation of 18 U.S.C. § 1957.

* 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).

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Sands'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 Sands 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. However, we remand the case to the district court with instructions that it strike special condition of supervised release number four on page two of the judgment because this condition was not imposed orally at sentencing. *See United States v. Napier*, 463 F.3d 1040, 1042 (9th Cir. 2006).

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

AFFIRMED; REMANDED to correct the judgment.