

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

NOV 22 2019

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

SHAWN SCOTT RASMUSSEN,

Defendant-Appellant.

No. 18-10250

D.C. No. 2:17-cr-00244-JJT-1

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Arizona  
John J. Tuchi, District Judge, Presiding

Submitted November 18, 2019\*\*

Before: CANBY, TASHIMA, and CHRISTEN, Circuit Judges.

Shawn Scott Rasmussen appeals from the district court's judgment and challenges his guilty-plea conviction and 76-month sentence for possession of child pornography, in violation of 18 U.S.C. § 2252(a)(4)(B). Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Rasmussen's counsel has filed a brief stating

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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).

that there are no grounds for relief, along with a motion to withdraw as counsel of record. We have provided Rasmussen the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Rasmussen waived his right to appeal his 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.

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

**DISMISSED.**