

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 25 2019

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

JOSEPH ADAM McILWAIN,

Defendant-Appellant.

No. 19-10117

D.C. No. 1:18-cr-00107-SOM-1

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Hawaii

Susan O. Mollway, District Judge, Presiding

Submitted September 18, 2019\*\*

Before: FARRIS, TASHIMA, and NGUYEN, Circuit Judges.

Joseph Adam McIlwain appeals from the revocation of supervised release and the 2-month sentence and 34-month term of supervised release imposed upon revocation. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), McIlwain'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. We have provided McIlwain 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.**