

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 21 2021

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

No. 21-15592

Plaintiff-Appellee,

D.C. Nos.

v.

2:20-cv-01073-APG

2:18-cr-00055-APG-GWF-1

CEMONE CHAMPAGNE LEWIS,

MEMORANDUM*

Defendant-Appellant.

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

Andrew P. Gordon, District Judge, Presiding

Submitted December 14, 2021**

Before: WALLACE, CLIFTON, and HURWITZ, Circuit Judges.

Cemone Champagne Lewis appeals from the district court's judgment denying his 28 U.S.C. § 2255 motion to vacate his conviction and sentence.

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Lewis's counsel has filed a brief stating that there are no grounds for relief, along with a motion to withdraw

* 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).

as counsel of record. We have provided Lewis 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 briefing and record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses that the certified issue provides no basis for appellate relief. *See Graves v. McEwen*, 731 F.3d 876, 880-81 (9th Cir. 2013).

Lewis's counsel's motion to withdraw is **GRANTED**.

AFFIRMED.