

FILED

April 18, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-30728
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

FREDERICK JOHN KLEINSMITH, III,

Defendant-Appellant.

Appeals from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:04-CR-233-ALL
USDC No. 2:05-CR-241-ALL

Before HIGGINBOTHAM, BENAVIDES, and PRADO, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Frederick John Kleinsmith, III, has moved for leave to withdraw and has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967). Kleinsmith has not filed a response. Our independent review of the record and counsel's brief shows that there is no nonfrivolous issue for appeal. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. See 5TH CIR. R. 42.2.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.