

March 28, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-51741
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MICAH BENITES,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
No. 1:05-CR-145-ALL

Before SMITH, WIENER, and OWEN, Circuit Judges.

PER CURIAM:*

Counsel appointed to represent Micah Benites has requested leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Benites has filed a response to counsel's motion in which he challenges his sentence, the voluntariness of confessions he made before he entered his guilty plea,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the conduct of the prosecutor, and the effectiveness of counsel. Our independent review of the record, counsel's brief, and Benites's response discloses no nonfrivolous issue for appeal. Accordingly, the 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.