

FILED

May 1, 2006

Charles R. Fulbruge III
Clerk

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 05-10583
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-

Appellee,

versus

JERRY PAT STEWART, JR.,

Defendant-

Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:04-CR-184-ALL

Before BARKSDALE, STEWART and CLEMENT, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Jerry Pat Stewart, Jr., has moved for leave to withdraw from this appeal and has filed a brief as required by *Anders v. California*, 386 U.S. 738 (1967). Stewart has not filed a response.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Our independent review of the brief and record discloses 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.