

October 25, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-40450
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROBERTO BARRERA,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:01-CR-104-1

Before JOLLY, DeMOSS, and STEWART, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Roberto Barrera has requested leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Barrera has not filed a response. Our independent review of the record and counsel's brief discloses no nonfrivolous issue for appeal. Counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities, 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.