

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

September 13, 2007

Charles R. Fulbruge III
Clerk

No. 04-40275
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

MARIO ALBERTO HERNANDEZ-CERDA

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:03-CR-275-2

Before KING, DAVIS, and CLEMENT, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Mario Alberto Hernandez-Cerda has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Hernandez-Cerda has filed a response. Our independent review of the record, counsel's brief, and Hernandez-Cerda's response discloses no nonfrivolous issue for appeal. Accordingly, counsel's

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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.