

August 20, 2003

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 02-11353  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

FREDRICK ODUMO NYINGURO,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:02-CR-96-1-Y  
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Before JONES, WIENER, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

The court appointed public defender for Fredrick Odumo Nyingunguro ("Nyingunguro") has requested leave to withdraw from this appeal and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Nyingunguro has received a copy of counsel's motion and brief but has not filed a response. Our independent review of the brief and the record discloses no nonfrivolous issues for appeal. Counsel's motion for leave to withdraw is

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

GRANTED, counsel is excused from further responsibilities, and the appeal is DISMISSED. See 5TH CIR. R. 42.2.

APPEAL DISMISSED; MOTION TO WITHDRAW GRANTED.