

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-50725
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

FRANCISCO OLIVAS-MONTOYA,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. P-00-CR-117-1-F

January 28, 2003

Before JONES, STEWART, and DENNIS, Circuit Judges.

PER CURIAM:*

Merry A. Worley, court-appointed appellate counsel for defendant Francisco Olivas-Montoya ("Olivas"), has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Olivas has filed a response to counsel's motion. Our independent review of the brief and the record discloses no nonfrivolous issues for appeal. Counsel's motion for leave to withdraw is GRANTED, counsel is excused from

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

further responsibilities, and the appeal is DISMISSED. See
5TH CIR. R. 42.2. Olivas's motion for appointment of counsel is
DENIED.

ANDERS MOTION GRANTED; APPEAL DISMISSED; MOTION FOR
APPOINTMENT OF COUNSEL DENIED.