

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-40055
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DELVITH BURGESS-RETREAGE,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. M-00-CR-455-1

August 23, 2001

Before KING, Chief Judge, and POLITZ and PARKER, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Delvith Burgess-Retreage has moved for leave to withdraw and has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967). Burgess-Retreage was provided with a copy of counsel's Anders motion and brief, but he has not filed a response. Our independent review of the record and counsel's brief shows that there are no nonfrivolous issues for appeal. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

excused from further responsibilities herein, and this appeal is
DISMISSED. See 5TH CIR. R. 42.2.