

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-10156
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ELBERT CHARLES MORRIS,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:91-CR-291-1-G

December 12, 2002

Before JOLLY, JONES, and CLEMENT, Circuit Judges.

PER CURIAM:*

The Federal Public Defender has moved for leave to withdraw from this appeal after resentencing and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Elbert Charles Morris received a copy of counsel's motion and brief and filed his own pro se brief seeking a further reduction in his

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

sentence based on an amendment to the guidelines that was not made retroactive. See U.S.S.G. § 1B1.10(c). Our independent review of counsel's brief, Morris' brief, and the record discloses no nonfrivolous issue. Accordingly, counsel's 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.