

May 16, 2003

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 02-40401 c/w No. 02-40455
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

FREDY ALBERTO AYALA,

Defendant-Appellant.

Appeals from the United States District Court
for the Southern District of Texas
USDC No. B-99-CR-9-1

Before BARKSDALE, DEMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Fredy Alberto Ayala on appeal has requested leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Ayala has received a copy of counsel's motion 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 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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, and the appeal is dismissed.

MOTION TO WITHDRAW GRANTED; APPEAL DISMISSED.