

August 20, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-50618
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MARTIN TOLEDO,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. SA-01-CR-44-25-FB

Before JONES, WIENER, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Court-appointed counsel for Martin Toledo has moved for leave to withdraw and has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967). Toledo has filed a response requesting that counsel's motion be granted and that new counsel be appointed, as well as a motion for an extension of time to file a brief.

Our review of the briefs and of the record discloses no nonfrivolous issue for appeal. Accordingly, the motion for

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

leave to withdraw is GRANTED, counsel is excused from further responsibilities, and the APPEAL IS DISMISSED. See 5TH CIR. R. 42.2.

Toledo's request for appointment of new counsel is DENIED as moot, and his motion for an extension of time to file a brief is DENIED.