

August 20, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-40005
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KENNETH P. MITCHELL,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. C-95-CR-133-1

Before JONES, WIENER, and BENAVIDES, Circuit Judges.

PER CURIAM:*

The Federal Public Defender, appointed to represent Kenneth P. Mitchell, has requested leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Mitchell has not filed a response to counsel's motion and brief. Our independent review of the brief and the record discloses no nonfrivolous issue for appeal. 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.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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