

August 18, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 03-40173
USDC No. C-02-CR-244-1

Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

ALEJANDRO AVILA, JR, also known as Gregory Luis Salcedo

Defendant - Appellant

Appeal from the United States District Court
for the Southern of Texas

Before KING, Chief Judge, and HIGGINBOTHAM and WIENER, Circuit Judges.

PER CURIAM:*

Alejandro Avila, Jr.'s, retained attorney, Albert A. Pena, III, has moved to withdraw as appellate counsel. Retained counsel may withdraw at will; therefore, the motion is GRANTED. As Avila has not provided this court with any indication that his appeal has

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

merit, the APPEAL IS DISMISSED. 5th Cir. R. 42.2