

August 8, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-30291
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

JOSEPH P LYMORE

Defendant - Appellant

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 03-CR-69-ALL-L

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

PER CURIAM:*

The attorney appointed to represent Joseph P. Lymore has requested leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Our independent review of the briefs, record, and Mr. Lymore's response discloses no non-frivolous issues for appeal. Counsel's motion for leave to withdraw is granted, counsel is excused from further responsibilities, and the appeal is dismissed. See 5TH CIR. R. 42.2. Lymore's motion to proceed pro se is denied. See United States v. Wagner, 158 F.3d 901, 902-03 (5th Cir. 1998).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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MOTION TO WITHDRAW GRANTED; MOTION TO PROCEED PRO SE DENIED;
APPEAL DISMISSED.