

October 4, 2005

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 04-30711
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JERRY WAYNE LYNCH,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 2:03-CR-20012-ALL-RF

Before BARKSDALE, STEWART, and CLEMENT, Circuit Judges.

PER CURIAM:*

Counsel appointed for Jerry Wayne Lynch has filed a motion for leave to withdraw, a brief, and a supplemental brief as required by Anders v. California, 386 U.S. 738 (1967). Lynch has filed a response. Our independent review of counsel's briefs, Lynch's response, and the record discloses no nonfrivolous issue.

We decline to address Lynch's allegations of ineffective assistance of counsel on direct appeal. See United States v. Brewster, 137 F.3d 853, 859 (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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

Accordingly, counsel's motion to withdraw is GRANTED;
counsel is excused from further responsibilities herein, and the
APPEAL IS DISMISSED. See 5TH CIR. R. 42.2.