

**FILED**

February 24, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 05-10430  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PHILLIP MENDOZA, JR.,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 1:98-CR-62-4-C  
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Before GARZA, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:\*

The Federal Public Defender, counsel for Phillip Mendoza, Jr., has moved for leave to withdraw from this appeal and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Mendoza has not filed a response. Our independent review of the brief and the record discloses no nonfrivolous issue. Accordingly, 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.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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