

March 16, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-50074
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RAYMOND ANTHONY MAKOVY,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 6:02-CR-47-2

Before JOLLY, DAVIS and OWEN, Circuit Judges.

PER CURIAM:*

Counsel appointed to represent Raymond Anthony Makovy on appeal has moved to withdraw pursuant to Anders v. California, 386 U.S. 738 (1967). Makovy has filed a response.

Our independent review of counsel's brief, Makovy's response, and the record discloses no nonfrivolous issue. Accordingly, the 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.