

August 20, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-50817
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

JOSE ISRAEL BATRES - PINEDA

Defendant - Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 2:04-CR-466-1

Before KING, HIGGINBOTHAM, and CLEMENT, Circuit Judges.

PER CURIAM:*

Court-appointed counsel for Jose Batres-Pineda (Batres) has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Batres, who has been deported to El Salvador, has not filed a response to counsel's motion. Our independent review of the record and counsel's brief discloses no nonfrivolous issue for appeal. Accordingly, counsel's

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 05-50817

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.