

November 30, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-40417
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JASON DWAYNE SIRKEL,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
(4:05-CR-14-ALL)
(4:05-CR-31-4)
(4:05-CR-93-ALL)

Before SMITH, WIENER, and OWEN, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Jason Dwayne Sirkel has requested leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Sirkel has raised several arguments in response to counsel's Anders motion.

Our independent review of the brief, Sirkel's response, and the record discloses no nonfrivolous issue. Regarding Sirkel's claim that he received ineffective assistance of counsel at trial, we see no reason to depart from our general practice of not

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

reviewing ineffective-assistance-of-counsel claims on direct appeal. See United States v. Valuck, 286 F.3d 221, 229 (5th Cir. 2002).

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.