

**FILED**

September 6, 2007

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III  
Clerk

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No. 06-51255  
Conference Calendar

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UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

JORGE HERIBERTO DUARTE

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 3:06-CR-515-4

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Before DeMOSS, DENNIS, and OWEN, Circuit Judges.

PER CURIAM:\*

Court-appointed counsel for Jorge Heriberto Duarte has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Duarte has been deported and 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 motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

herein, and the APPEAL IS DISMISSED as frivolous, see 5TH CIR. R. 42.2, and in part as moot.