

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

January 14, 2011

No. 09-20866
Summary Calendar

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

DAVID HENRY ANTHONY, also known as David Stubblefield, also known as David Anthony Chacon,

Defendant - Appellant

Appeal from the United States District Court
for the Southern District of Texas
DCDN 4:08-CR-522-1

Before HIGGINBOTHAM, SMITH, and HAYNES, Circuit Judges.

PER CURIAM:*

The CJA-appointed counsel representing David Anthony has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Anthony has filed a response. Our independent review of the record, counsel's brief, and Anthony's response discloses no non-frivolous issue for appeal. Accordingly, counsel's motion for leave to withdraw is

*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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 09-41001

GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2.