

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

United States Court of Appeals
Fifth Circuit

FILED

February 12, 2010

Charles R. Fulbruge III
Clerk

No. 09-30345

Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

KELVIN D DOTIE, also known as Kalvin Dotie,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 5:08-CR-304-1

Before GARZA, DENNIS, and ELROD, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Kelvin D. Dotie has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Dotie has filed a response. Our independent review of the record, counsel's brief, and Dotie's response discloses no nonfrivolous issue for appeal. Accordingly, 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.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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