

UNITED STATES COURT OF APPEALS
FIFTH CIRCUIT

No. 98-50125
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GILBERTO MONTANA-ROMERO,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
(DR-97-CR-235-1)

November 27, 1998

Before EMILIO M. GARZA, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Court-appointed counsel for Gilberto Montana-Romero has filed a motion to withdraw and a brief as required by *Anders v. California*, 386 U.S. 738 (1967), in this appeal of a conviction and sentence for illegal re-entry, a violation of 8 U.S.C. § § 1326(a) and (b). Montana-Romero was given an opportunity to file a response to the motion, and he has not responded. Our independent review of the brief and record discloses no nonfrivolous issue.

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 R. 47.5, we have determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Accordingly, counsel is excused from further responsibilities herein and the APPEAL IS DISMISSED.

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