

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-50132
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE LUIS NAJERA-GUTIERREZ, also
known as Jaime Pacheco-Rosales, also
known as Ismael Lopez, also known as
Jaime Rosales, also known as Oscar
Lopez-Garcia,

Defendant-Appellant.

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Appeal from the United States District Court
for the Western District of Texas
USDC No. SA-97-CR-274-1
- - - - -

October 21, 1998

Before POLITZ, Chief Judge, and WIENER and DENNIS, Circuit Judges.

PER CURIAM:*

Counsel for José Luis Najera-Gutierrez moves to withdraw and has filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967). The motion to withdraw is granted and counsel is relieved of further responsibilities herein. In his plea agreement, Najera waived his right to appeal. The appeal is therefore dismissed. *United States v. Hoctel*, 154 F.3d 506 (5th Cir. Sept. 11, 1998, No. 97-50916) slip op. at 5733-34, 1998 WL 611106. 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.