

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-40231
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOAQUIN BATRES-ORTEGA,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. B-98-CR-551-ALL
- - - - -

December 15, 1999

Before JOLLY, HIGGINBOTHAM, and BARKSDALE, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Joaquin Batres-Ortega (Batres) has requested leave to withdraw as counsel and has filed a brief as required by *Anders v. California*, 386 U.S. 738 (1967). Batres has received a copy of counsel's motion and brief but has not filed a response. Our independent review of the brief and record discloses no nonfrivolous issue. Accordingly counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities, and the appeal

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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is DISMISSED.