

April 18, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-41155
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

HILARIO HERNANDEZ-PINEDA,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:06-CR-157-ALL

Before HIGGINBOTHAM, BENAVIDES, and PRADO, Circuit Judges.

PER CURIAM:*

Court-appointed counsel for Hilario Hernandez-Pineda has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Hernandez-Pineda has not filed a response.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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