

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

United States Court of Appeals
Fifth Circuit

FILED

December 8, 2010

Lyle W. Cayce
Clerk

No. 09-20865

Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

RAUL HERNANDEZ MARTINEZ, also known as Raul Hernandez-Martinez, also known as Raul Hernandez, also known as Pedro Hernandez, also known as Pablo Hernandez Rios, also known as Pedro Rios Hernandez, also known as Pablo Hernandez, also known as Pedro Hernandez Rios, also known as Pablo Rios Hernandez,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:09-CR-289-1

Before KING, BENAVIDES, and PRADO, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Raul Hernandez Martinez has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Hernandez Martinez has not filed a response. Our independent review of the record and counsel's brief

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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