

February 24, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-40633
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JAVIER ORTIZ-AROZENA,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 1:01-CR-239-ALL

Before GARZA, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:*

The Federal Public Defender has moved for leave to withdraw from representation of Javier Ortiz-Arozena and has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967). Ortiz-Arozena has filed a response in which he challenges the sentence imposed following his guilty plea to illegal reentry, which was the violation resulting in the revocation of his supervised release. Ortiz does not challenge the validity of the revocation proceeding or the sentence imposed.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Our independent review of the brief, Ortiz-Arozena's response, and the record discloses no nonfrivolous issue for appeal. Accordingly, the motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and this appeal is DISMISSED. See 5TH CIR. R. 42.2.