

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

February 20, 2008

Charles R. Fulbruge III
Clerk

No. 06-50946
Conference Calendar

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

ANTONIO MAURICE GARDNER, also known as Antonio Gardner

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 6:05-CR-237-1

Before KING, WIENER, and ELROD, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Antonio Maurice Gardner has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Gardner has filed a response. Our independent review of the record, counsel's brief, and Gardner's response discloses no nonfrivolous issue for appeal. Accordingly, counsel's motion for leave to

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. See 5TH CIR. R. 42.2.