

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-20090
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

VIRGIL MALATEK,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-99-CR-176-8

March 6, 2001

Before SMITH, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Court-appointed counsel for Virgil Malatek has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Malatek did not file a response to counsel's motion to withdraw. Our independent review of counsel's brief and the record discloses no nonfrivolous appellate issue. 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.