

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-20272  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

THOMAS OLIVER MORGAN,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-99-CR-548-1  
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February 15, 2001

Before SMITH, BARKSDALE, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

Thomas Oliver Morgan's court-appointed attorney has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Morgan has received a copy of counsel's brief and motion and has filed a response. Morgan contends that his plea was not knowingly and voluntarily made and that his attorney failed to adequately assist Morgan with his appeal. He moves this court to appoint a new attorney.

Our independent review of the brief and the record discloses no nonfrivolous issue, and indicates that Morgan's guilty plea

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

was knowingly and voluntarily made. Accordingly, the 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. Morgan's request for the appointment of new counsel is DENIED.