

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 00-21132  
Conference Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSÉ BENITO MOMPАЗ,

Defendant-Appellant.

-----  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-00-CR-424-1  
-----

August 23, 2001

Before KING, Chief Judge, and POLITZ and PARKER, Circuit Judges.

PER CURIAM:\*

The Federal Public Defender appointed to represent José Benito Mompaz has requested leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Mompaz has responded to the motion. Our independent review of the brief and the record discloses no nonfrivolous issue. Mompaz's argument that counsel was ineffective will not be reviewed in this direct appeal. See United States v. Gibson, 55 F.3d 173, 179 (5th Cir. 1995). 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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, and the appeal is DISMISSED.

MOTION GRANTED; APPEAL DISMISSED.