

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 01-11453

Summary Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MICHAEL JEROME HENDERSON,

Defendant-Appellant.

---

Appeal from the United States District Court  
For the Northern District of Texas

---

(4:00-CR-294-1)

July 18, 2002

Before HIGGINBOTHAM, WIENER, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

The federal public defender appointed to represent Michael Jerome Henderson has requested leave to withdraw as counsel and has filed a brief as required by *Anders v. California*.<sup>1</sup> Henderson has not filed a response to counsel's motion to withdraw.

Our independent review of the brief and the record discloses

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

<sup>1</sup> 386 U.S. 738 (1967).

no nonfrivolous issue for appeal.<sup>2</sup> Accordingly, the motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities in this case, and the appeal is DISMISSED.

---

<sup>2</sup> Counsel's brief does not discuss whether § 922(g)(1) is a constitutional exercise of Congress's Commerce Clause power. Nonetheless, we have held that § 922(g)(1) is constitutional in *United States v. Kuban*, 94 F.3d 971 (5th Cir. 1996), and *United States v. Rawls*, 85 F.3d 240 (5th Cir. 1996). It does not present a nonfrivolous issue for appeal.