

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-30615  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MARCELINO GARCES-HURTADO,  
also known as Marcelo Gutierrez-Garcia,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Louisiana  
USDC No. 00-CR-304-1  
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April 11, 2002

Before SMITH, DeMOSS, and PARKER, Circuit Judges.

PER CURIAM:\*

Robert F. Fleming, Jr., counsel appointed to represent Marcelino Garces-Hurtado, has filed a motion for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Garces-Hurtado has not filed a response. Our independent review of the brief and the record discloses no nonfrivolous issue in this direct appeal. Accordingly, the motion for leave to withdraw is GRANTED,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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