

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-41496
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DIEGO CANTU,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. C-01-CR-21-2

August 21, 2002

Before HIGGINBOTHAM, DAVIS, and PARKER, Circuit Judges.

PER CURIAM:*

The court-appointed counsel for Diego Cantu has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Cantu has filed a response wherein he challenges the determination that he was on probation at the time he committed the instant offense. Our independent review of the brief and the record discloses no nonfrivolous issue in this direct appeal. Accordingly, the motion for leave

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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