

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 02-10823  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DAVID RANGEL,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 1:02-CR-3-18  
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February 11, 2003

Before HIGGINBOTHAM, SMITH, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Myrtle McDonald, the attorney appointed to represent David Rangel, has moved for leave to withdraw and has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967). Rangel has filed a response to McDonald's brief. Rangel also moves to unseal the presentence report and to hold this appeal in abeyance so that he can examine the report. Rangel's motions are DENIED. We have thoroughly examined the presentence report and

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

determined that it presents no nonfrivolous issue for appeal. There is thus no need to delay disposition of this appeal.

Our independent review of the entire record, McDonald's brief, and Rangel's response shows that there are no nonfrivolous issues for appeal. Accordingly, McDonald's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and this appeal is DISMISSED. See 5TH CIR. R. 42.2.