

April 24, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-11149
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHN F. MONAHAN,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 2:02-CR-36-1

Before DAVIS, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent John F. Monahan has moved for leave to withdraw from this appeal and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Monahan has filed a response challenging the district court's failure at sentencing to account for his cooperation with the Government, the amount of restitution ordered by the district court, and the district court's victim identification.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Our independent review of counsel's brief, Monahan's response, and the record discloses no nonfrivolous issue. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. See 5TH CIR. R. 42.2.