

July 9, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 02-21187
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ENRIQUE RODRIGUEZ-NUNEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-02-CR-123-1

Before HIGGINBOTHAM, DAVIS and WIENER, Circuit Judges.

PER CURIAM:*

The Federal Public Defender has filed a motion for leave to withdraw as counsel for Enrique Rodriguez-Nunez (Rodriguez) and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Rodriguez did not file a response to counsel's motion to withdraw. Our independent review of counsel's brief and the record discloses no nonfrivolous issue. Accordingly, the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED.