

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-40467
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE LUIS BENAVIDES-HERNANDEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. C-96-CR-166-1

December 12, 2002

Before JOLLY, JONES, and CLEMENT, Circuit Judges.

PER CURIAM:*

Irma Sanjines, court-appointed appellate counsel for Jose Luis Benavides-Hernandez (Benavides), has requested leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Benavides has received a copy of counsel's motion, but has not filed a response. Our independent review of the brief and the record discloses no nonfrivolous issues for appeal. Counsel's motion for leave to

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

withdraw is GRANTED, counsel is excused from further responsibilities, and the appeal is DISMISSED. See 5TH CIR. R. 42.2.

MOTION TO WITHDRAW GRANTED; APPEAL DISMISSED.