

June 25, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-50033
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROBERT JONATHON SCHEIDT,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. P-00-CR-400-3

Before DeMOSS, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:*

Attorney David G. Rogers, appointed to represent Robert Jonathon Scheidt on appeal, has filed a motion to withdraw and a brief as required by *Anders v. California*, 386 U.S. 738 (1967). Scheidt has responded to Attorney Rogers's motion and brief. Scheidt moves *pro se* to dismiss his appeal conditionally or, in the alternative, to consolidate his appeal with appeal no. 01-50796; Scheidt's motion to dismiss is DENIED and his

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

motion to consolidate is DENIED. Scheidt petitions for "judicial review"; Scheidt's petition is DENIED.

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