

April 21, 2004

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 03-10567  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ANTHONY B. BENAVIDES,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:01-CR-245-ALL-P  
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Before JOLLY, JONES, and SMITH, Circuit Judges.

PER CURIAM:\*

The Assistant Federal Public Defender appointed to represent Anthony Benavides has filed a motion to withdraw as counsel and a brief pursuant to Anders v. California, 386 U.S. 738 (1967).

Benavides has not filed a response. Our independent review of the brief and the record discloses no nonfrivolous issue. The 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.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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