

December 14, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-41052
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PORFIRIO GUAJARDO, JR.,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 1:01-CR-402-ALL

Before KING, Chief Judge, and HIGGINBOTHAM and SMITH, Circuit Judges.

PER CURIAM:*

The Federal Public Defender representing Porfirio Guajardo, Jr., has moved to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Guajardo has not filed a response. Our independent review of the brief and record discloses no nonfrivolous issue. Accordingly, 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.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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