

April 21, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-41177
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHNNY ALVIN THOMPSON, JR.

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. C-96-CR-253-1

Before JOLLY, JONES, and SMITH, Circuit Judges.

PER CURIAM:*

The Federal Public Defender, counsel appointed for Johnny Alvin Thompson, Jr., has moved for leave to withdraw from this appeal and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Thompson has received a copy of counsel's motion and brief but has not filed a response. Our independent review of the brief and the record discloses no nonfrivolous issue. Accordingly, counsel's motion for leave to withdraw is

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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