

June 18, 2004

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 03-41486  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ANGELO SILVA-GUTIERREZ,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. B-03-CR-87-2  
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Before JONES, BENAVIDES, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Court-appointed counsel for Angelo Silva-Gutierrez (Silva-Gutierrez) has moved for leave to withdraw and has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967). Silva-Gutierrez was notified of counsel's motion and did not file a response.

Our independent review of the brief and the record discloses no nonfrivolous issues for appeal. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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responsibilities herein, and the APPEAL IS DISMISSED. See 5<sup>TH</sup>  
CIR. R. 42.2.