

February 13, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 03-50369
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

VALENTE LICON-HERNANDEZ,

Defendant-

Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. P-02-CR-100-10

Before SMITH, DeMOSS AND STEWART, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Valente Licon-Hernandez on direct appeal has filed a motion to withdraw and a brief pursuant to Anders v. California, 386 U.S. 738, 744 (1967). Licon has not filed a response. Our independent review of the brief and the record discloses no nonfrivolous issue in this direct appeal. Accordingly, the motion for leave to withdraw is GRANTED, counsel 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

excused from further responsibilities herein, and the APPEAL IS DISMISSED. See 5TH CIR. R.

42.2.