

December 5, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-41215
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

Terrick Durham,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 6:04-CR-26-1

Before HIGGINBOTHAM, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Counsel for Terrick Durham moved for leave to withdraw and filed a brief pursuant to *Anders v. California*.¹ Durham did not file a response. After review of counsel's brief and of the record, we conclude that no nonfrivolous issues remain for appeal. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the

* Pursuant to the 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under limited circumstances set forth in 5TH CIR. R. 47.5.4.

¹ 386 U.S. 738 (1967).

appeal is DISMISSED.²

² See 5TH CIR. R. 42.2.