

August 17, 2005

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 04-41664  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RAFAEL ZAPOTITLA-LOPEZ,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 2:04-CR-353-ALL  
- - - - -

Before BENAVIDES, CLEMENT, and PRADO, Circuit Judges.

PER CURIAM:\*

Court-appointed counsel for Rafael Zapotitla-Lopez (Zapotitla) has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Zapotitla was sent 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 for appeal. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. See 5TH CIR. R. 42.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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