

April 20, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-40158
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RENZO MIGUEL PENA,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:03-CR-132-2

Before HIGGINBOTHAM, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

The court-appointed appellate counsel for Renzo Miguel Pena has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Pena has not filed a response to counsel's motion to withdraw. Our independent review of the brief and the record discloses no nonfrivolous issues for appeal. Counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities, and the APPEAL IS DISMISSED. See 5TH CIR. R. 42.2.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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