

March 2, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-40961
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ISIDRO LANDEROS-BOLANOS,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 5:04-CR-2601-1

Before KING, HIGGINBOTHAM, and GARZA, Circuit Judges.

PER CURIAM:*

Counsel appointed to represent Isidro Landeros-Bolanos (Landeros), has requested leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Landeros filed no response to his attorney's motion. Our independent review of the record and counsel's brief discloses no nonfrivolous issue for appeal except that the district court's written judgment fails to reflect the dismissal of count four (bringing an unauthorized alien to the United States for purpose of commercial advantage or private gain in violation of 8 U.S.C.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

§ 1324(a)(2)(B)(ii)), which the district court dismissed on the Government's motion at Landeros's sentencing hearing. "[A] simple remand to correct such clerical error is proper." United States v. Powell, 354 F.3d 362, 372 (5th Cir. 2003); see also FED. R. CRIM. P. 36. Accordingly, we DENY counsel's motion for leave to withdraw, but we pretermitt further briefing, AFFIRM Landeros's conviction and sentence, and REMAND to the district court with an instruction to correct the judgment to reflect dismissal of count four against Landeros.