

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

September 12, 2008

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No. 06-51286  
Summary Calendar

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Charles R. Fulbruge III  
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

JOSE LUIS FAVELA-GONZALEZ

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
(04-CR-459)

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Before HIGGINBOTHAM, BARKSDALE, and ELROD, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Jose Luis Favela-Gonzalez has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*,<sup>1</sup> asserting that there are no nonfrivolous issues on appeal. Favela-Gonzalez has not filed a response.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

<sup>1</sup> 386 U.S. 738 (1967).

Counsel's brief has satisfied Anders' requirements sufficiently to trigger our obligation to examine the record.<sup>2</sup> Our independent review of the record and counsel's brief 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.<sup>3</sup>

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<sup>2</sup> See U.S. v. Acquaye, 452 F.3d 380, 381 (5th Cir. 2006).

<sup>3</sup> See 5TH CIR. R. 42.2.