

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

September 28, 2012

No. 11-40890
Summary Calendar

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JORGE ADALBERTO GUZMAN-CRUZ,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 5:11-CR-384-1

Before REAVLEY, JOLLY, and DAVIS, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Jorge Adalberto Guzman-Cruz has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Guzman-Cruz has filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Guzman-Cruz's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, counsel's motion for

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2.

Guzman's motion for reconsideration of the Clerk's order denying an extension to file an *Anders* response to counsel's initial brief is DENIED. His motion for appointment of new counsel is also DENIED.