

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

United States Court of Appeals
Fifth Circuit

FILED

June 27, 2012

Lyle W. Cayce
Clerk

No. 11-41317
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

GABRIEL DE JESUS HERNANDEZ-SANCHEZ, also known as Gustavo Leal-Chavez,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:11-CR-1111-1

Before KING, JOLLY, and GRAVES, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Gabriel De Jesus Hernandez-Sanchez (Hernandez) 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). Hernandez has filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Hernandez's response. We concur with counsel's

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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assessment that the appeal presents no nonfrivolous issue for appellate review. 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. 42.2. Hernandez's motion for the appointment of counsel is DENIED. See *United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).