

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

United States Court of Appeals
Fifth Circuit

FILED

October 3, 2013

Lyle W. Cayce
Clerk

No. 12-50678
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

versus

LUIS GILBERTO BENITEZ, Also Known as Douglas,

Defendant–Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:11-CR-307-27

Before JOLLY, SMITH, and CLEMENT, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Luis Benitez has moved for leave to withdraw and has filed briefs in accordance with *Anders v. California*, 386 U.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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

No. 12-50678

738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Benitez has not filed a response. Having reviewed counsel's briefs and the relevant portions of the record reflected therein, we concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, the 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.