

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

No. 13-10511
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 11, 2014

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JOSE RAMOS,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:12-CR-213-1

Before WIENER, OWEN, and HAYNES, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Jose Ramos 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). Ramos has not filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein. We concur with

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 13-10511

counsel's assessment that the appeal presents no nonfrivolous issue for appellate review.

There is a clerical error in the judgment. The judgment states that Ramos should be placed on supervised release "for a term of 12 months as to Count 1 and 12 months as to Count 2, to run concurrently for a total of THREE (3) years." This statement is not only internally inconsistent but does not accurately reflect the district court's oral pronouncement of the sentence, which stated simply that Ramos should serve three years of supervised release. The judgment should be corrected to accurately reflect the term of supervised release orally pronounced at sentencing.

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. This matter is REMANDED for correction of the clerical error pursuant to Federal Rule of Criminal Procedure 36.