

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

United States Court of Appeals
Fifth Circuit

FILED

October 25, 2013

Lyle W. Cayce
Clerk

No. 13-40270
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

NERI ELIZABETH PINTO-DURAN, also known as Elizabeth Maria Bacelis,
also known as Elizabeth Pinto Bacelis, also known as Elizabeth M. Bacelis,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 5:12-CR-955-1

Before JOLLY, JONES, and HIGGINSON, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Neri Elizabeth Pinto-Duran (Pinto) 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). Pinto has filed a response in which she moves for the appointment of new counsel. We have reviewed counsel’s brief and the relevant portions of the record reflected therein, as well as Pinto’s response. 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 13-40270

counsel's 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. Pinto's motion for the appointment of new counsel is DENIED. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).