

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

No. 13-40771
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

September 4, 2014

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

CRISTOBAL CERVANTES,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 5:11-CR-425-2

Before DAVIS, CLEMENT, and COSTA, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Cristobal Cervantes 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). Cervantes has filed a response and has requested appointment of new counsel. His motions for appointment of new counsel are DENIED. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Cervantes's response. We concur with 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.