

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

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No. 14-10665  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

July 7, 2015

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JOHN RASHON HYDER,

Defendant-Appellant

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:12-CR-330

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Before PRADO, OWEN, and GRAVES, Circuit Judges.

PER CURIAM:\*

The Federal Public Defender appointed to represent John Rashon Hyder 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). Hyder has filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Hyder's response. We concur with counsel's assessment that the appeal

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

The record, however, reflects a clerical error in the written judgment. The written judgment reflects a conviction under 18 U.S.C. § 924(c)(1)(A)(iii). In fact, Hyder pleaded guilty to violating and was sentenced under § 924(c)(1)(A)(i). Accordingly, we REMAND for correction of the clerical error in the written judgment in accordance with Federal Rule of Criminal Procedure 36. *See United States v. Higgins*, 739 F.3d 733, 739 n.16 (5th Cir.), *cert. denied*, 134 S. Ct. 2319 (2014); *United States v. Rosales*, 448 F. App'x 466, 466-67 (5th Cir. 2011).