

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

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No. 14-50001  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

June 26, 2015

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

RUDOLPH TATUM,

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 7:13-CR-128

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Before PRADO, OWEN, and GRAVES, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Rudolph Tatum 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). Tatum has not filed a response. We have reviewed counsel's brief 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.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 14-50001

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 states that Tatum pleaded guilty to Count Two of an indictment. In fact, Tatum pleaded guilty to Count Two of a superseding indictment. 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).