

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

No. 15-41355
Conference Calendar

United States Court of Appeals
Fifth Circuit

FILED

June 21, 2016

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

MICHAEL ELLIOTT,

Defendant-Appellant

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:14-CR-11-1

Before JONES, CLEMENT, and OWEN, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Michael Elliott 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). Elliott has filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Elliott's response. We concur with counsel's assessment that the appeal presents no

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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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. Elliott's untimely request for appointment of new counsel on appeal is DENIED, and his request for an extension of time for substitute counsel to file a merits brief is DENIED AS MOOT.