

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

No. 16-30509
Summary Calendar

United States Court of Appeals
Fifth Circuit
FILED
December 15, 2016

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

v.

KIRK JENKINS, also known as Pimp Jenkins,

Defendant–Appellant.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:13-CR-74-1

Before REAVLEY, OWEN, and ELROD, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Kirk Jenkins 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). Jenkins has not filed a response. We have reviewed counsel’s brief and the relevant portions of the record reflected therein. Though counsel does not specifically address the validity of the appeal waiver in Jenkins’s plea

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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agreement, there is no indication in the record that Jenkins's ratification of the plea agreement was anything but knowing and voluntary. As such, 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 in part as frivolous, *see* 5TH CIR. R. 42.2, and in part as moot based on Jenkins's completion of his term of imprisonment, *see United States v. Heredia-Holguin*, 823 F.3d 337, 340-42 (5th Cir. 2016).