

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

No. 17-30882
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

June 22, 2018

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

GUADALUPE PONTE,

Defendant-Appellant

Appeals from the United States District Court
for the Western District of Louisiana
USDC No. 5:17-CR-23-2

Before JOLLY, OWEN, and HAYNES, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Guadalupe Ponte 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). Ponte has filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Ponte'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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

We note, however, that there is a clerical error in the written judgment. Ponte pleaded guilty to the first count in the indictment, which charged her with conspiracy to possess with intent to distribute methamphetamine in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii), and 846. The written judgment does not accurately describe that charged offense or statute. 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. Ulloa-Osorio*, 637 F. App'x 142, 143 (5th Cir. 2016); *United States v. Rosales*, 448 F. App'x 466, 466-67 (5th Cir. 2011).