

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

United States Court of Appeals  
Fifth Circuit

**FILED**

May 15, 2018

Lyle W. Cayce  
Clerk

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No. 17-40981  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

CELIN JAVIER MONTOYA-RODRIGUEZ,

Defendant-Appellant

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 7:16-CR-1883-2

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Before REAVLEY, GRAVES, and HO, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Celin Javier Montoya-Rodriguez 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). Montoya-Rodriguez 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

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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nonfrivolous issue for appellate review. Our review also reveals clerical errors in the district court's written statement of reasons, which does not reflect the guidelines range calculated by the district court or the below-guidelines nature of the sentence imposed.

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 case is REMANDED for the limited purpose of correcting the clerical errors in the written statement of reasons. *See* FED. R. CRIM. P. 36; *United States v. Cole*, 569 F. App'x 195, 196 (5th Cir. 2014).