

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

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No. 17-50257  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

January 24, 2018

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

ERNEST ANDRADE ZUBIATE, also known as Neto,

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 1:03-CR-144-19

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Before JOLLY, OWEN, and HAYNES, Circuit Judges.

PER CURIAM:\*

The Federal Public Defender appointed to represent Ernest Andrade Zubiata 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). Despite twice receiving an extension of time to do so, Zubiata 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

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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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. *See* 5TH CIR. R. 42.2.