

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

United States Court of Appeals
Fifth Circuit

FILED

July 3, 2019

Lyle W. Cayce
Clerk

No. 18-11113
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

ERASMO RUIZ GAYTON,

Defendant-Appellant

Appeals from the United States District Court
for the Northern District of Texas
USDC No. 3:16-CR-130-3

Before DAVIS, SMITH, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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