

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

December 10, 2020

Lyle W. Cayce
Clerk

No. 18-40649
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

SERGIO MARTINEZ-TAPIA,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 5:17-CR-953-1

Before SMITH, STEWART, and HIGGINSON, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Sergio Martinez-Tapia 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). Martinez-Tapia has not filed a response. We have reviewed

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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counsel's brief and the relevant portions of the record reflected therein. 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. *See* 5TH CIR. R. 42.