

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

No. 18-50138
Conference Calendar

United States Court of Appeals
Fifth Circuit

FILED

January 4, 2019

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

BERNARDO MENDEZ-MARQUEZ,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 3:17-CR-2354-1

Before HIGGINSON, COSTA, and HO, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Bernardo Mendez-Marquez 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). Mendez-Marquez 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

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 18-50138

nonfrivolous issue for appellate review. However, we note that there is a clerical error in the written judgment. *See* FED. R. CRIM. P. 36. The judgment states that, in revoking Mendez-Marquez's supervision, the district court granted a pleading filed on July 18, 2017, rather than a pleading filed on December 12, 2017.

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 REMAND for correction of the clerical error in the written judgment pursuant to Federal Rule of Criminal Procedure 36.