

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

United States Court of Appeals
Fifth Circuit

FILED

July 31, 2019

Lyle W. Cayce
Clerk

No. 18-50440
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

FABIAN ALEX BRAVO,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 7:16-CV-197

Before JONES, HIGGINSON, and WILLETT, Circuit Judges.

PER CURIAM:*

This court granted Fabian Alex Bravo a certificate of appealability, following the denial of his 28 U.S.C. § 2255 motion, on the issue whether the district court erred by determining that Bravo was subject to the enhanced penalties of the Armed Career Criminal Act (ACCA), 18 U.S.C. § 924(e)(1), based on his prior Texas convictions for aggravated robbery, aggravated assault, and burglary. The Federal Public Defender appointed to represent

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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