

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

July 28, 2022

Lyle W. Cayce  
Clerk

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No. 22-10293  
Summary Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

ALEJANDRO ANTONIO MENDEZ,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 5:21-CR-94-2

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Before JONES, STEWART, and DUNCAN, *Circuit Judges.*

PER CURIAM:\*

The attorney appointed to represent Alejandro Antonio Mendez 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 has not filed a response. We have reviewed

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.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. 42.2.

We note however, a clerical error in the written judgment. Mendez was charged with and sentenced for possession with intent to distribute between 50 grams and 500 grams "of a mixture and substance containing a detectable amount of methamphetamine" under 21 U.S.C. § 841(b)(1)(B)(viii). However, the written judgment omits the "mixture and substance" language and states that Mendez was convicted for 50 grams or more "of methamphetamine." We therefore REMAND for correction of the clerical error in the written judgment in accordance with Federal Rule of Criminal Procedure 36.