

United States Court of Appeals  
for the Fifth Circuit

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No. 22-40721  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

May 9, 2023

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

RICHARD BLAKE HOWARD,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 3:21-CR-3-1

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Before HIGGINBOTHAM, GRAVES, and HO, *Circuit Judges.*

PER CURIAM:\*

The Federal Public Defender appointed to represent Richard Blake Howard 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). Howard filed an untimely response requesting that we order appellate counsel to provide a copy of the record and that he be

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\* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

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granted 90 days after entry of that order to perfect his appeal and file a pro se brief. That motion is DENIED. *See United States v. Wagner*, 158 F.3d 901, 209-03 (5th Cir. 1998).

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.*