

United States Court of Appeals
for the Fifth Circuit

No. 22-50990
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

August 24, 2023

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

RIGOBERTO CARRASCO,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 7:22-CR-118-1

Before HAYNES, HIGGINSON, and DUNCAN, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Rigoberto Carrasco 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). Carrasco has not filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein. We concur

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

No. 22-50990

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.

The record reflects a clerical error in the written judgment. The record indicates that Carrasco pleaded guilty to conspiracy to possess with intent to distribute 500 grams or more of *a mixture or substance* containing a detectable amount of methamphetamine, but the judgment incorrectly identifies the nature of the offense as involving 500 grams or more of *actual* methamphetamine. Accordingly, because the written judgment erroneously identifies offense of conviction, we REMAND for the limited purpose of correction of that clerical error in the written judgment in accordance with Federal Rule of Criminal Procedure 36.