

United States Court of Appeals for the Fifth Circuit

No. 23-10196
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

July 18, 2023

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

SELVIN OMAR LEIVA-MELGAR,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:22-CR-73-1

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

PER CURIAM:*

The attorney appointed to represent Selvin Omar Leiva-Melgar 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). Leiva-Melgar has filed a response and a motion to file a supplemental response, which is GRANTED. We have reviewed counsel's

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

No. 23-10196

brief and the relevant portions of the record reflected therein, as well as Leiva-Melgar's responses. 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.