

United States Court of Appeals for the Fifth Circuit

No. 23-10432
Summary Calendar

United States Court of Appeals
Fifth Circuit
FILED
December 20, 2023

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

LUCAS TAPIA-ZARAGOZA,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:22-CR-315-1

Before JONES, SOUTHWICK, and HO, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Lucas Tapia-Zaragoza 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). Tapia-Zaragoza has filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein, as

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

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well as Tapia-Zaragoza's response. 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. To the extent that Tapia-Zaragoza's response can be construed as requesting the appointment of new counsel, the request is DENIED as untimely. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).