

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

March 7, 2024

Lyle W. Cayce
Clerk

No. 23-40588
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

LEOPOLDO MARTINEZ-RUBIO,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 1:23-CR-323-1

Before ELROD, OLDHAM, and WILSON, *Circuit Judges.*

PER CURIAM:*

The Federal Public Defender appointed to represent Leopoldo Martinez-Rubio 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). Martinez-Rubio has not filed a response. We have reviewed counsel's brief and the relevant portions of the

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

No. 23-40588

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.