

# United States Court of Appeals for the Fifth Circuit

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No. 24-30150  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

July 18, 2024

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

JERRY DAKOTA JOHNSTON,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 3:19-CR-397-1

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Before SMITH, STEWART, and DUNCAN, *Circuit Judges.*

PER CURIAM:\*

The Federal Public Defender appointed to represent Jerry Johnston has moved to withdraw and has filed a brief per *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Johnston has filed a response.

We have reviewed counsel's brief, relevant portions of the record, and

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

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Johnston's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, the motion to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the appeal is DISMISSED. *See* 5TH CIR. R. 42.2.