

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 96-20904  
Conference Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHNNIE EDWARD SMITH,

Defendant-Appellant.

- - - - -  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-95-CR-264-2  
- - - - -

August 15, 1997

Before KING, HIGGINBOTHAM, and DUHÉ, Circuit Judges.

PER CURIAM:\*

Court-appointed counsel for Johnnie Edward Smith has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Our independent review of the brief and record discloses no nonfrivolous issue. Accordingly, counsel is excused from further responsibilities herein and the APPEAL IS DISMISSED.

---

\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.