

**UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 97-20882
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE HERNANDEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
(H-93-CR-238-7)

February 9, 1999

Before POLITZ, BARKSDALE and STEWART, Circuit Judges.

PER CURIAM:*

Nancy G. Revelette, court-appointed counsel for Jose Hernandez, has filed a brief in accordance with **Anders v. California**, 386 U.S. 738 (1967), and moves to be released from her court appointment. Considering the motion to be well founded, same is granted and counsel is relieved of any further responsibilities herein.

Hernandez has been granted ample time to respond to counsel's motion or

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

to expand on the appellate brief and has opted not to do so. Accordingly, having considered the briefs and pertinent parts of the record, and finding no non-frivolous issue, the appeal is DISMISSED.