

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-40109
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

HOMERO GARZA, JR.,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
(C-96-CR-217-12)

July 10, 1997

Before POLITZ, Chief Judge, JONES and SMITH, Circuit Judges.

PER CURIAM:*

* Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set

Court-appointed counsel for Homero Garza, Jr. has moved to withdraw and has filed an accompanying brief as required by **Anders v. California**, 386 U.S. 738 (1967). Garza has not filed a response. Our independent review of counsel's brief and the record discloses no nonfrivolous issue for appeal. Accordingly, counsel is excused from further responsibilities in Garza's appeal, and Garza's appeal is **DISMISSED**.

forth in 5th Cir. R. 47.5.4.