

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-10153
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KIRK VANDIVER,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:97-CR-150-1-Y

August 17, 1999

Before DAVIS, EMILIO M. GARZA, and DENNIS, Circuit Judges.

PER CURIAM:*

The Federal Public Defender, court-appointed counsel for Kirk Vandiver, has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Vandiver has not filed a response. Our independent review of the brief and the record discloses no nonfrivolous issue. Accordingly, the motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED.

APPEAL DISMISSED; MOTION FOR LEAVE TO WITHDRAW GRANTED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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