

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-20203
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JAIRO ALVAREZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-98-CR-210-2

December 16, 1999

Before JOLLY, HIGGINBOTHAM, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Counsel appointed to represent Jairo Alvarez has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Alvarez has filed a response requesting to proceed pro se. Our independent review of the brief, the record, and Alvarez' response discloses no nonfrivolous issue in this direct appeal. Accordingly, the motion for leave to withdraw is GRANTED, 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

Alvarez' motion to proceed pro se is DENIED. See United States v. Wagner, 158 F.3d 901, 902-03 (5th Cir. 1998).