

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-50354
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE ANTONIA MODICA-ELVIRA,

Defendant-

Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. A-99-CR-4-(1)-SS

November 15, 1999

Before HIGGINBOTHAM, DeMOSS and STEWART, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Jose Antonia Modica-Elvira has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Modica has received a copy of counsel's motion and brief, and has filed a response. Our independent review of the brief, Modica's response, and the record discloses no nonfrivolous issue. Accordingly, counsel's 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.