No. 99-50661 -1-

IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

> No. 99-50661 Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROBERTO GONZALEZ-MONTOYA, aka Gilberto Diaz-Gonzalez, aka Leo Coro,

Defendant-Appellant.

Appeal from the United States District Court for the Western District of Texas USDC No. EP-98-CR-1072-ALL-H February 16, 2000

Before EMILIO M. GARZA, BENAVIDES, and DENNIS, Circuit Judges. PER CURIAM:*

Court-appointed counsel, Victor Salas, for Roberto Gonzalez-Montoya, has filed a motion for leave to withdraw as counsel and a brief in support in accordance with <u>Anders v. California</u>, 386 U.S. 738, 744 (1967). Gonzalez has not filed a response. Our independent review of the record and counsel's brief reveals no nonfrivolous issues for appeal. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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