

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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No. 13-40533  
Conference Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

April 16, 2014

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

DIEGO LUMBRERAS-RAMIREZ,

Defendant-Appellant

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 4:12-CR-160-1

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Before PRADO, ELROD, and HAYNES, Circuit Judges.

PER CURIAM:\*

The Federal Public Defender appointed to represent Diego Lumbreras-Ramirez has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Lumbreras-Ramirez filed a responsive letter raising an issue and alternatively asking for an extension of time to file a response. We granted him an extension, but he did not file an additional brief. We have

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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reviewed counsel's brief and the relevant portions of the record reflected therein, together with Lumbreras-Ramirez's letter. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2.