

June 4, 2004

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 03-10540  
USDC No. 3:02-CR-366-ALL-G  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DEMOND MONTA EASTER,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas

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BEFORE JONES, BENAVIDES and CLEMENT, Circuit Judges.

PER CURIAM:\*

Jason Hawkins, the Assistant Federal Public Defender appointed to represent Demond Monta Easter, has requested leave to withdraw from this appeal and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Hawkins notes that Easter waived his right to appeal his sentence, with certain exceptions, and Hawkins asserts that Easter's sentencing presents

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

no nonfrivolous issue for appeal. Easter has received a copy of Hawkins's motion and brief, but he has filed no response.

Our independent review of the record reveals no potentially meritorious issues for appeal not discussed by counsel. Accordingly, Hawkins's motion for leave to withdraw is **GRANTED**, counsel is excused from further responsibilities in this case, and the appeal is **DISMISSED**. See 5TH CIR. R. 42.2.

**MOTION GRANTED; APPEAL DISMISSED.**