

January 23, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-10294
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DERICK DEVUN HAYNES,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:03-CR-372-ALL-R

Before JOLLY, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Derick Devun Haynes has moved for leave to withdraw and has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967). Haynes has filed a response in which he requests the appointment of new counsel. Our independent review of counsel's brief, the record, and Haynes' response discloses no nonfrivolous issue for appeal. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

and the APPEAL IS DISMISSED. See 5TH CIR. R. 42.2. Haynes' motion for appointment of new counsel is DENIED.