

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

United States Court of Appeals
Fifth Circuit

FILED

April 19, 2011

Lyle W. Cayce
Clerk

No. 10-20366
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

PEDRO ROJO, JR.,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:08-CR-796-3

Before JOLLY, OWEN, and HAYNES, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Pedro Rojo, Jr., 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). Rojo has not filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein. 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

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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further responsibilities herein, and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2. The alternative motion for a hearing is DENIED.

The record reveals a clerical error in the judgment. Although the record shows that the district court orally imposed and intended to impose a total fine of \$2,000, the written judgment also states that a \$2,000 fine was “imposed as to each of Counts 1, 3, and 4” to reach the total fine of \$2,000. The case is therefore REMANDED for the correction of this clerical error. FED. R. CRIM. P. 36.