

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

United States Court of Appeals  
Fifth Circuit

**FILED**

June 10, 2011

Lyle W. Cayce  
Clerk

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No. 10-30620  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

JAMES KENNETH HUDNALL,

Defendant - Appellant

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 1:09-CR-272-1

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Before DAVIS, SMITH, and SOUTHWICK, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent James Kenneth Hudnall has moved for leave to withdraw and has filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967). Hudnall has not filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein. Counsel's brief satisfies the standards set forth in *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011), regarding Hudnall's sentencing but fails regarding the district court's compliance with Federal Rule of Criminal Procedure 11. Nevertheless, we

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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concur with counsel's ultimate 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. As counsel's brief was filed only shortly after *Flores* was issued, he may not have had sufficient time to become aware of those standards. Counsel should make certain that any future *Anders* brief he files fully conforms with *Flores*.