

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

United States Court of Appeals
Fifth Circuit

FILED
July 29, 2011

No. 10-31222
Summary Calendar

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

GORDON NUNES,

Defendant-Appellant

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:10-CR-100-1

Before KING, JOLLY, and GRAVES, Circuit Judges.

PER CURIAM:*

The Federal Public Defender (FPD) appointed to represent Gordon Nunes has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Nunes has not filed a response. Counsel's brief fails to comply with *United States v. Flores*, 632 F.3d 229, 232-33 (5th Cir. 2011), in which we admonished that an *Anders* brief should address every applicable item on this court's *Anders* checklist, with reference to the facts of the proceedings and citation to the record and relevant legal authority. The brief in

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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this case fails to address all relevant issues and glosses over omissions in the rearraignment colloquy. Although *Flores* teaches that such a facially inadequate brief should be dismissed, we grant the *Anders* motion in the interest of judicial economy because it is apparent from the record that this appeal does not involve a nonfrivolous issue. The FPD is directed that future *Anders* filings should comply with *Flores*. 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.