

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

United States Court of Appeals
Fifth Circuit

FILED

October 13, 2010

Lyle W. Cayce
Clerk

No. 10-40041

Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JAVIER CASTILLO-ORTIZ, also known as Jose Perez-Castillo, also known as
Javier Castillo-Cisneros,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No.7:09-CR-1282-1

Before DAVIS, SMITH and SOUTHWICK, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Javier Castillo-Ortiz has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Castillo has filed a response. Our independent review of the record, counsel's brief, and Castillo's response discloses no nonfrivolous issue for appeal. Accordingly, counsel's motion for

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2.