

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

No. 13-20723
Summary Calendar

United States Court of Appeals
Fifth Circuit
FILED
September 30, 2014

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

FRANCISCO ANTONIO PENA-ZAVALA, also known as Francisco Antonio Pena Zavala, also known as Manuel Duarte, also known as Francisco Antonio Dena-Zavala, also known as Francisco A. Pena Z., also known as Francisco Pena, also known as Milton Santiago Pena,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:13-CR-312

Before HIGGINBOTHAM, JONES, and HIGGINSON, Circuit Judges

PER CURIAM:*

The Federal Public Defender appointed to represent Francisco Antonio Pena Zavala (Pena) 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). Pena has filed a response. We have

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Pena's response. 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 further responsibilities herein, and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2.