

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

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No. 16-41709  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

March 14, 2018

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

v.

RUBEN GONZALES,

Defendant–Appellant.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 2:10-CR-118-1

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Before JOLLY, OWEN, and HAYNES, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Ruben Gonzales 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). Gonzales has filed a response. Gonzales’s request for appointment of new counsel is denied as untimely. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 16-41709

We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Gonzales'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.