

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

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No. 18-50588  
Conference Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**  
March 15, 2019  
Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

DAVID PROVENCIO, also known as David Lorenzo Provencio, also known as David Provencio Sandoval, also known as Jose Provencio,

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 7:18-CR-23-1

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Before OWEN, GRAVES, and OLDHAM, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent David Provencio 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). Provencio has filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Provencio's

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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