

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

August 5, 2022

Lyle W. Cayce  
Clerk

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No. 21-30591  
Summary Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

GERALD D. THOMPSON,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 3:20-CR-169-1

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Before STEWART, DUNCAN, and WILSON, *Circuit Judges.*

PER CURIAM:\*

The attorney appointed to represent Gerald D. Thompson 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). Thompson has not filed a response. We have reviewed counsel's

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 21-30591

brief and the relevant portions of the record reflected therein. 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.

As counsel asserts, however, there is a clerical error in the Statement of Reasons. Although Thompson's correct total offense level was 31, the Statement of Reasons lists his offense level as 33. Accordingly, we REMAND for correction of the clerical error in the Statement of Reasons in accordance with Federal Rule of Criminal Procedure 36. *See United States v. Mackay*, 757 F.3d 195, 196 (5th Cir. 2014).