

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

May 4, 2023

Lyle W. Cayce  
Clerk

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No. 22-40494  
Summary Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

IVAN DEJESUS SUASTES CRUZ,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 4:21-CR-58-4

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Before KING, HIGGINSON, and WILLETT, *Circuit Judges.*

PER CURIAM:\*

The Federal Public Defender appointed to represent Ivan Dejesus Suastes Cruz 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). Suastes Cruz has filed a response. We have reviewed counsel's brief and the relevant portions of the record

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\* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

No. 22-40494

reflected therein, as well as Suastes Cruz'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. Suastes Cruz's motion for the appointment of new counsel is DENIED. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).