

United States Court of Appeals for the Fifth Circuit

No. 23-20579
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

June 5, 2024

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JOHN EUGENE PAYNE, JR.,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:23-CR-169-1

Before JONES, SOUTHWICK, and HO, *Circuit Judges.*

PER CURIAM:*

The Federal Public Defender appointed to represent John Eugene Payne, Jr., 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). Payne has not filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected

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

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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.