IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

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No. 99-31287
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RYAN SMITH,

Defendant-Appellant.

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Appeal from the United States District Court for the
Eastern District of Louisiana
USDC No. 99-CR-173-1-B

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August 23, 2000

Before JOLLY, JONES, and BENAVIDES, Circuit Judges.

PER CURIAM:[*]

The attorney appointed to represent Ryan Smith has moved for leave to withdraw and has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967). Smith was notified of counsel's motion and brief, but he has not filed a response to counsel's motion. Both counsel's brief and our independent review of the record show that there are no nonfrivolous issues for appeal. Consequently, counsel's motion for leave to withdraw is

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. See 5TH CIR. R. 42.2.

D I S M I S S E D.