

United States Court of Appeals  
for the Fifth Circuit

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No. 20-10300  
Conference Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

May 3, 2021

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

RAYMOND CAHOON,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 7:19-CR-6-1

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

PER CURIAM:\*

The attorney appointed to represent Raymond Cahoon 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). Cahoon has not filed a response. We have reviewed counsel's brief and the

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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relevant portions of the record reflected therein. It is dispositive that the Government has declined to waive the untimeliness of the appeal. *See United States v. Pesina-Rodriguez*, 825 F.3d 787, 788 (5th Cir. 2016). Therefore, without prejudice to a future 28 U.S.C. § 2255 motion that Cahoon may file, 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.