

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

April 1, 2022

Lyle W. Cayce
Clerk

No. 21-10952
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

CESAR JUVENCIO CAMARGO-GARCIA,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:21-CR-55-1

Before JOLLY, WILLETT, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:*

The Federal Public Defender appointed to represent Cesar Juvenio Camargo-Garcia 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). Camargo-Garcia has not filed a

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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response. We have reviewed counsel's 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.

We note, however, that there is a clerical error in the written judgment. Camargo-Garcia pleaded guilty to the second count of his indictment, which charged him with possession with intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C). The written judgment does not accurately reflect that charged offense or statute; it incorrectly states that Camargo-Garcia was convicted of a conspiracy offense. Accordingly, we REMAND for correction of the clerical error in the written judgment in accordance with Federal Rule of Criminal Procedure 36. *See United States v. Ulloa-Osorio*, 637 F. App'x 142, 143 (5th Cir. 2016); *United States v. Rosales*, 448 F. App'x 466, 466-67 (5th Cir. 2011).