

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

May 10, 2022

Lyle W. Cayce
Clerk

No. 21-10956
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

CHRISTINA ELIZABETH GRIEGO,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 2:20-CR-83-6

Before DAVIS, JONES, and ELROD, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Christina Elizabeth Griego 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). Griego has not filed a response. We have reviewed counsel's

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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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.¹ 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.

¹ Although counsel's brief relies in part on the appeal waiver in Griego's plea agreement, we agree with the remainder of counsel's analysis, which shows that there is no nonfrivolous issue for appeal regardless of whether the appeal waiver is enforced. However, for future cases, counsel is reminded of her obligation to "ascertain and certify that the Government would rely on the defendant's appellate waiver before moving to withdraw" on that basis. *United States v. Acquaye*, 452 F.3d 380, 382 (5th Cir. 2006).