

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

June 13, 2022

Lyle W. Cayce
Clerk

No. 21-30299
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

BRIAN HERNANDEZ,

Defendant—Appellant.

Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 3:18-CR-22-5

Before SMITH, STEWART, and GRAVES, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Brian Hernandez has moved for leave to withdraw and has filed briefs in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Hernandez has filed a response. We have reviewed counsel's briefs and the

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 21-30299

relevant portions of the record reflected therein, as well as Hernandez's response. 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. Hernandez's pro se motion to dismiss the appeal is DENIED as moot.