

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

February 8, 2022

Lyle W. Cayce  
Clerk

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No. 21-40290  
Summary Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

JAMES ANTHONY MARZIOLI,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Eastern District of Texas  
No. 4:19-CR-309-4

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

PER CURIAM:\*

The attorney appointed to represent James Marzioli moves to withdraw and has filed a brief per *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Marzioli has not filed a response.

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 21-40290

We have reviewed counsel's brief and relevant portions of the record. We concur with counsel's assessment that the appeal presents no non-frivolous issue for appellate review. Accordingly, the motion to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the appeal is DISMISSED. *See* 5TH CIR. R. 42.2.