

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

February 25, 2022

Lyle W. Cayce
Clerk

No. 21-50636
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

ROYSHENA HOLT,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 7:17-CR-21

Before HIGGINBOTHAM, HIGGINSON, and DUNCAN, *Circuit Judges.*

PER CURIAM:*

The counsel appointed to represent Royshena Holt on appeal has filed a motion to withdraw and a brief that relies on *Anders v. California*, 386 U.S. 738 (1967). Holt has filed a response as well as a motion to appoint new counsel. We have reviewed counsel's brief and the relevant portions, as well

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.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. 21-50636

as Holt's response. Holt's notice of appeal was untimely and the district court denied her motion to extend the time for filing a notice of appeal, which is dispositive. *See United States v. Leijano-Cruz*, 473 F.3d 571, 573-74 (5th Cir. 2006).

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. Holt's pro se motion to appoint new counsel is DENIED as untimely. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).