

United States Court of Appeals for the Fifth Circuit

No. 22-10748
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

January 25, 2023

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

RUBEN MAGALLAN, JR.,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 6:21-CR-64-3

Before HIGGINBOTHAM, GRAVES, and HO, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Ruben Magallan, Jr., 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). Magallan has not filed a response. Counsel has also filed a supplemental motion to withdraw. We have reviewed counsel's brief and the

* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

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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. Counsel's supplemental motion to withdraw is accordingly DENIED as moot.