

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

June 12, 2026

Lyle W. Cayce
Clerk

No. 25-10980
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

FERNANDO MARTINEZ-RODRIGUEZ,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:25-CR-47-1

Before WIENER, WILLETT, and WILSON, *Circuit Judges.*

PER CURIAM:*

The Federal Public Defender appointed to represent Defendant-Appellant Fernando Martinez-Rodriguez 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). Martinez-Rodriguez has not filed a response. We have reviewed counsel's brief and

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

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the 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.

The record, however, reflects a clerical error in the written judgment. The district court cited 8 U.S.C. §§ 1326(a) and (b)(1) as grounds for his conviction, but the record indicates that Martinez-Rodriguez was only convicted and sentenced pursuant to § 1326(a). We therefore REMAND for the limited purpose of correcting this error in the written judgment. *See* FED. R. CRIM. P. 36.