

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-2254
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellant,

versus

CESAR GIOVANNI MORALES-MORALES,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CR-H-92-125-1
- - - - -
(March 25, 1994)

Before KING, DAVIS, and DeMOSS, Circuit Judges

BY THE COURT:

The appeal of Cesar Giovanni Morales-Morales, in which court-appointed counsel has filed a brief pursuant to Anders v. California, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 993 (1967), raises no issue of arguable merit for direct appeal. Therefore, the motion of counsel to withdraw is GRANTED, and the appeal is DISMISSED. See United States v. Jackson, 578 F.2d 1162, 1164 (5th Cir. 1978); FIFTH CIR. R. 42.2. The dismissal is WITHOUT PREJUDICE to Morales's ability to raise his claim of ineffective assistance of counsel in a 28 U.S.C. § 2255 proceeding.