

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

January 29, 2010

Charles R. Fulbruge III
Clerk

No. 08-40714

Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JUAN JOSE RINCON-ZERMENO,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:08-CR-158-ALL

Before BENAVIDES, PRADO, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

Following issuance of our order in the instant case on July 31, 2009, the Federal Public Defender appointed to represent Juan Jose Rincon-Zermeno has filed a renewed motion for leave to withdraw and a supplemental brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Rincon-Zermeno has not filed a response. Our independent review of the record and counsel's initial and supplemental briefs discloses no nonfrivolous issue for appeal. Accordingly,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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.