

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-40116
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JACINTO CORTINAS-GAMINO,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. B-99-CR-385-01

August 23, 2000

Before KING, Chief Judge, and POLITZ and WIENER, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Jacinto Cortinas-Gamino has moved to withdraw and has filed a brief as required by *Anders v. California*, 386 U.S. 738 (1967). Cortinas-Gamino has not filed a response.

Our independent review of the brief and the record discloses no nonfrivolous issue for appeal. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

The case is remanded, pursuant to Fed. R. Crim. P. 36, for the purpose of correcting a clerical error in the judgment. The amended judgment should clarify and/or correct the provision regarding the nature of Cortinas-Gamino's offense of conviction to state that he pleaded guilty to unlawful attempted re-entry to the United States after deportation.

MOTION GRANTED; APPEAL DISMISSED; REMANDED FOR CORRECTION OF CLERICAL ERROR.