

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-40109
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSÉ RAUL BOTELLO-DUQUE,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. V-00-CR-61-ALL

August 20, 2001

Before JOLLY, DeMOSS and PARKER, Circuit Judges.

PER CURIAM:*

The Federal Public Defender, counsel appointed to represent José Raul Botello-Duque has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Botello-Duque has not filed a response. Our independent review of the brief and the record discloses no nonfrivolous issue in this direct appeal. Accordingly, the 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.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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