

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-40593
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SERGIO GARZA HERNANDEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. B-01-CR-68-1

February 21, 2002

Before JOLLY, JONES, and BENAVIDES, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Sergio Garza Hernandez on appeal has moved for leave to withdraw as counsel and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Hernandez has not filed a response to counsel's motion and brief.

Our independent review of the record discloses no nonfrivolous issue for appeal. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

responsibilities herein, and the appeal is DISMISSED. 5TH CIR.

R. 42.2.

DISMISSED.