

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-40828
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DON EDWARD DAVIS, JR.,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. V-00-CR-84-ALL

April 11, 2002

Before SMITH, DeMOSS, and PARKER, Circuit Judges.

PER CURIAM:*

Michael K. Burns, appointed counsel for Don Edward Davis, Jr., has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Davis has filed a response. Our independent review of the brief, Davis's response, and the record discloses no nonfrivolous issue. Accordingly, 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. Davis's motion for appointment of new counsel is DENIED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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