

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-50007  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

Versus

JORGE VARGAS-AGUILERA,, also known as  
Jorge Vargas-Aguilar,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. EP-00-CR-1423-ALL-DB  
- - - - -

August 14, 2001

Before JOLLY, DAVIS, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

The Federal Public Defender appointed to represent Jorge Vargas-Aguilera (Vargas) has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Vargas has received a copy of counsel's motion and brief.

Vargas, who pleaded guilty to violating 8 U.S.C. § 1326, has stated that he wishes to challenge only his sentence. Our independent review of the brief and the record discloses no

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

nonfrivolous sentencing 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.

See 5th Cir. R. 42.2.