

March 28, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-50637
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE ZABALA-MOLINA,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. DR-00-CR-223-1

Before HIGGINBOTHAM, SMITH, and CLEMENT, Circuit Judges.

PER CURIAM:*

Retained counsel for Jose Zabala-Molina, John Nation, has filed a motion to withdraw as counsel and a brief stating that there are no nonfrivolous issues for appeal.¹ Zabala-Molina has been notified of his opportunity to respond but has not filed a response.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

¹ *Anders v. California*, 386 U.S. 738 (1967).

Nation's motion is GRANTED. Furthermore, there do not appear to be any nonfrivolous issues for appeal, and the appeal is DISMISSED.²

² See 5TH CIR. R. 42.2.