

**FILED**

January 28, 2004

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 03-20442  
Summary Calendar

---

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHN WINSTON O'DOWD,

Defendant-Appellant.

-----  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-02-CR-168-ALL  
-----

Before JOLLY, WIENER, and DENNIS, Circuit Judges.

PER CURIAM:\*

Court-appointed counsel for appellant John Winston O'Dowd has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). O'Dowd has filed a response and a motion for appointment of new counsel.

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, O'Dowd's motion for appointment

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 03-20442

-2-

of counsel is DENIED, and the APPEAL IS DISMISSED. See 5TH CIR.  
R. 42.2.