

FILED

August 18, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-40780
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellant,

versus

FELIPE BARBOSA-TORRES,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. M-03-CR-59-1

Before HIGGINBOTHAM, DAVIS, and PICKERING, Circuit Judges.

PER CURIAM:*

Court-appointed appellate counsel for Felipe Barbosa-Torres has requested leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Barbosa-Torres has not responded to his counsel's motion. Our independent review of counsel's brief and the record discloses no nonfrivolous issue for appeal. Counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities, and the appeal is DISMISSED. See 5TH CIR. R. 42.2.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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