

FILED

June 23, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-41579
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CLARENCE JOSEPH KRING,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. C-03-CR-226-1

Before BARKSDALE, DeMOSS, and CLEMENT, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Clarence Joseph Kring on appeal has requested leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Kring has received a copy of counsel's motion but has not filed a response.

Our independent review of the brief and the record discloses no non-frivolous issue for appeal. Counsel's motion for leave to

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

withdraw is granted, counsel is excused from further responsibilities, and the appeal is dismissed. 5TH CIR. R. 42.2.

MOTION TO WITHDRAW GRANTED; APPEAL DISMISSED.