

June 22, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-41170
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MICHAEL SHANE CLACK,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:04-CR-181-1

Before WIENER, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Court-appointed counsel for Michael Shane Clack moves this court for leave to withdraw pursuant to Anders v. California, 386 U.S. 738 (1967), and has filed a brief in support of his motion. Clack has not filed a response.

Our independent review of the brief and the record discloses no nonfrivolous issue in this direct appeal. Accordingly, the motion to withdraw is GRANTED, and counsel is excused from

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 04-41170

-2-

further responsibilities herein. The appeal is DISMISSED. See
5TH CIR. R. 42.2.