

June 22, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-41632
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DONALD JOHN ALFORD,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 1:04-CR-271-3

Before WIENER, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Donald John Alford has filed a motion to withdraw and a brief pursuant to Anders v. California, 386 U.S. 738, 744 (1967). Alford 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 for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.