

July 15, 2005

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 04-50821  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SEBURN JOHN HENRY, IV,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 3:04-CR-168-3-FM  
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Before REAVLEY, JOLLY, and HIGGINBOTHAM, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Seburn John Henry, IV, has filed a motion to withdraw and briefs pursuant to Anders v. California, 386 U.S. 738, 744 (1967). Henry has not filed a response. Our independent review of the briefs 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.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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