

FILED

February 24, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-51140
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JULIA ANN BALDERAS,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 2:02-CR-32-1-AML

Before GARZA, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Julia Ann Balderas has moved to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Balderas has filed a response to counsel's motion to withdraw. Our independent review of the brief, Balderas's response, and the record discloses no nonfrivolous issues for appeal. We decline to address any claim of ineffective assistance of counsel, without prejudice to Balderas's right to assert such claims in a motion

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

pursuant to 28 U.S.C. § 2255. United States v. Higdon, 832 F.2d 312, 314 (5th Cir. 1987). 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.