

February 14, 2007

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 06-40324  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

TIMOTHY DEWAYNE TURNER,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 1:05-CR-53  
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Before BARKSDALE, GARZA, and CLEMENT, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Timothy Dewayne Turner has requested leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Turner has not filed a response to counsel's Anders motion.

Our independent review of the brief and the record discloses no nonfrivolous issue. 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.