

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-10686
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSEPH CHRISTOPHER STENSON,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 2:94-CR-57-2
- - - - -

April 5, 1996

Before WIENER, PARKER, and DENNIS, Circuit Judges.

PER CURIAM:*

Retained counsel for Joseph Christopher Stenson requests permission to withdraw pursuant to Anders v. California, 386 U.S. 738 (1967). Stenson has filed an initial and a supplemental response as well as several motions.

The evidence was sufficient to support the jury's verdict convicting Stenson of conspiracy to possess with intent to distribute, and possession with intent to distribute, cocaine base. United States v. Lewis, 902 F.2d 1176, 1180-81 (5th Cir.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

1990); United States v. Gardea Carrasco, 830 F.2d 41, 44 (5th Cir. 1987). The Government did not breach the plea agreement. United States v. Watson, 988 F.2d 544, 548 (5th Cir. 1993), cert. denied, 114 S. Ct. 698 (1994). Stenson's general allegations cannot support a claim of selective prosecution. United States v. Sparks, 2 F.3d 574, 580 (5th Cir. 1993), cert. denied, 114 S. Ct. 720, 899, 1548 (1994). Finally, Stenson's challenge on vagueness grounds to the sentencing guidelines is foreclosed by Fifth Circuit precedent. United States v. Fisher, 22 F.3d 574, 579 (5th Cir.), cert. denied, 115 S. Ct. 529 (1994).

An independent review of counsel's brief, the points raised by Stenson in his initial and supplemental responses to the brief, and the record reveals no nonfrivolous issue for appeal. Anders, 386 U.S. at 744. Accordingly, counsel's motion is GRANTED and the APPEAL IS DISMISSED.

Stenson's motion for appointment of counsel is DENIED as moot. Stenson's motion for extension of time to file a supplemental response is DENIED.