

**UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 95-40772
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

KENNETH WAYNE MITCHELL,

Defendant-Appellant.

Appeal from the United States District Court
For the Eastern District of Texas
(1-95-CR-44)

March 1, 1996

Before POLITZ, Chief Judge, GARWOOD and STEWART, Circuit Judges.

PER CURIAM:*

Kenneth Wayne Mitchell was convicted, pursuant to a guilty plea, of possession with intent to distribute cocaine base and of distribution of same. He was sentenced as a career offender to imprisonment for 151 months, the low end of the guideline range, together with supervised release for three years. Mitchell directed his appointed counsel to notice an appeal.

Mitchell's appointed counsel has filed the brief mandated by **Anders v. California**¹

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

¹386 U.S. 738 (1967).

and a motion to withdraw. On December 4, 1995, the clerk of this court notified Mitchell of his right to file a response to counsel's motion within 30 days. No response has been filed.

Neither the brief nor our independent review of the record discloses any nonfrivolous issue for appeal. The motion to withdraw is GRANTED, counsel is relieved of further responsibilities herein, and the appeal is DISMISSED.