

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-31079
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JERRY J. NAPOLEON,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 96-CR-179-A
- - - - -

August 15, 1997

Before KING, HIGGINBOTHAM, and DUHÉ, Circuit Judges

PER CURIAM:*

Court-appointed counsel for Jerry J. Napoleon has filed a brief as required by *Anders v. California*, 386 U.S. 738 (1967). Napoleon has filed a motion seeking a 120-day extension of the time in which to respond to counsel's motion; Napoleon's motion is DENIED. Our independent review of counsel's brief and the record discloses no nonfrivolous issue. Napoleon has submitted an untimely pro se brief in response to counsel's motion. Even if his brief had been submitted timely, it raises no nonfrivolous issues for appeal. Accordingly, counsel is excused from further

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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responsibilities herein and the APPEAL IS DISMISSED.