

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-30097
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SAM PRESLEY, II,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 95-CR-368-F
- - - - -

July 24, 1998

Before KING, DAVIS and DeMOSS, Circuit Judges.

PER CURIAM:*

Court-appointed counsel, Professor Henry Gabriel, has filed a brief as required by Anders v. California, 396 U.S. 738 (1976). Presley has filed a response and has renewed his motion for legal assistance and legal materials.

We have independently reviewed the brief, Presley's response, and record and found no nonfrivolous issue. Accordingly, counsel is excused from further responsibilities

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 R.47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

herein and the APPEAL IS DISMISSED. 5th Cir. R. 42.2. Because the appeal lacks merit, Presley's motion is DENIED.

MOTION TO WITHDRAW GRANTED; RENEWED MOTION DENIED; APPEAL DISMISSED.