

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-41361  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

NDUBUISI CELESTINE ELEGONYE,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas  
(6:96-CR-56-1)

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July 1, 1998

Before JONES, SMITH, and STEWART, Circuit Judges.

PER CURIAM:\*

Court-appointed counsel for Ndubuisi Celestine Elegonye has filed a brief as required by Anders v. California, 386 U.S. 738 (1967), and we have independently reviewed counsel's brief, the record, and Elegonye's response to counsel's motion to withdraw and find no nonfrivolous issues. Elegonye asks this court to appoint counsel to represent him in his direct criminal appeal. There being no nonfrivolous issues for appeal, and Elegonye having duly waived his right to appeal, there is no justification for

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No.

-2-

appointing new counsel. Elegonye's motion for appointment of counsel is **DENIED**. Accordingly, the motion to withdraw is **GRANTED**, and the **APPEAL IS DISMISSED**. 5th Cir. Local R. 42.2.