

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-40143
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PEDRO RUBEN ESCOBEDO-URBINA,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. L-97-CR-359-1

October 29, 1998

Before KING, BARKSDALE and STEWART, Circuit Judges.

PER CURIAM:*

Court-appointed counsel for Pedro Ruben Escobedo-Urbina has filed a motion to withdraw and a brief as required by Anders v. California, 386 U.S. 738, 744 (1967). Escobedo-Urbina has filed a motion for leave to proceed pro se on appeal and a brief in response to his counsel's motion to withdraw. We have independently reviewed counsel's brief and the record and have found no nonfrivolous issue. Accordingly, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. See 5th Cir. R. 42.2. Escobedo-Urbina's motion to proceed pro se on appeal is DENIED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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