

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-50867
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

VERSUS

ELIZABETH CASTILLO DELEON,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
(SA-98-CR-54-ALL)

JUne 15, 1999

Before DAVIS, DUHÉ, and PARKER, Circuit Judges.

PER CURIAM:*

Court-appointed counsel for Elizabeth Castillo DeLeon has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). DeLeon has filed a response. Our independent review of the brief, the record, and Deleon's response discloses no non-frivolous issue in this direct appeal. To the extent that her claims are based on ineffective

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

assistance of counsel, DeLeon can raise them in a § 2255 proceeding pursuant to the waiver-of-appeal exception in her plea agreement. Accordingly, the motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED.