

April 12, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-10368
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

HORTENCIO MENDOZA-ORTIZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:04-CR-69-ALL

Before JONES, Chief Judge, and JOLLY and DAVIS, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Hortencio Mendoza-Ortiz (Mendoza) on appeal has requested leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Mendoza, who pleaded guilty to unlawfully reentering the United States following a prior deportation, received a copy of counsel's motion but has not filed a response.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Our independent review of the brief and the record discloses no nonfrivolous issues for appeal. Counsel's motion for leave to withdraw is granted, counsel is excused from further responsibilities, and the appeal is dismissed. See 5TH CIR. R. 42.2.

MOTION TO WITHDRAW GRANTED; APPEAL DISMISSED.