

February 24, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-40094
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

RICARDO AGUILAR-HERNANDEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:99-CR-568-1

Before GARZA, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:*

The Federal Public Defender, appointed to represent Ricardo Aguilar-Hernandez (Aguilar), has moved to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Aguilar has filed a response to counsel's motion to withdraw in which he requests the appointment of replacement counsel. Our independent review of the brief, Aguilar's response, and the record discloses no nonfrivolous issues for appeal. Counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities, Aguilar's motion for appointment of

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 05-40094

-2-

replacement counsel is DENIED, and the appeal is DISMISSED. See
5TH CIR. R. 42.2.