

FILED

September 6, 2007

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 05-50127
Conference Calendar

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

ANTONIO GOMEZ-DIAZ

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 3:02-CR-28-3

Before DeMOSS, DENNIS, and OWEN, Circuit Judges.

PER CURIAM:*

Court-appointed counsel for Antonio Gomez-Diaz (Gomez) has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Gomez has been deported and has not filed a response to counsel's motion. Our independent review of the record and counsel's brief discloses no nonfrivolous issue for appeal. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

herein, and the APPEAL IS DISMISSED in part as frivolous, see 5TH CIR. R. 42.2, and in part as moot.