

February 14, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-50381
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GUSTAVO AVILES,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 2:02-CR-752-3

Before BARKSDALE, GARZA, and CLEMENT, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Gustavo Aviles has requested leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Aviles has not filed a response. Our independent review of the record and counsel's brief discloses no nonfrivolous issue for appeal. Counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED.

See 5TH CIR. R. 42.2.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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