

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-40138
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DAMON MITCHELL SMITH,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:96-CR-64-1
- - - - -

April 10, 1998

Before JOLLY, JONES, and DUHÉ, Circuit Judges.

PER CURIAM:*

Counsel for Damon Mitchell Smith has filed a brief as required by Anders v. California, 386 U.S. 738 (1967), alleging that there are no meritorious issues for appeal. Our independent review of the briefs and record discloses no issue of arguable merit. Therefore, the motion of counsel to withdraw is GRANTED, and the appeal is DISMISSED. 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.