

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-40261  
(Summary Calendar)

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHNNY RAY HAYNES,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Eastern District of Texas  
(USDC No. 6:95-CR-36-15)  
- - - - -

October 7, 1997

Before SMITH, WIENER and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Court-appointed counsel for Johnny Ray Haynes has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Our independent review of the brief, the record, and Haynes' response discloses no nonfrivolous issue. Accordingly, counsel is excused from further responsibilities herein and the APPEAL IS DISMISSED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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