

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 99-41274
Summary Calendar

UNITED STATES OF AMERICA,

Appellee,

Plaintiff-

versus

VALENTIN TORRES-CARDENAS,

Appellant.

Defendant-

Appeal from the United States District Court
for the Southern District of Texas
USDC No. B-99-CR-275-1

September 5, 2000

Before EMILIO M. GARZA, STEWART and PARKER, Circuit Judges:

PER CURIAM:*

The Assistant Federal Public Defenders (AFPDs) appointed to represent Valentin Torres-Cardenas on appeal have moved for leave to withdraw from representation of Torres, pursuant to *Anders v. California*, 386 U.S. 738 (1967). Torres has responded to counsel's motion, contending that his plea agreement was breached when performance was rendered impossible after he entered his plea due to our opinion in *United States v. Monjaras-Castaneda*, 190 F.3d 326 (5th Cir. 1999), *cert. denied*, 120 S. Ct. 1254 (2000), and that counsel was ineffective for failing to object to the district court's rejection of the Government's stipulation that was rendered

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

ineffective by *Monjaras-Castaneda*. Our independent review of the brief, Torres's response, and the record discloses no nonfrivolous issue. Accordingly, the AFPDs' motion to withdraw is GRANTED; the AFPFs are excused from further responsibilities herein and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2.