

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

United States Court of Appeals
Fifth Circuit

FILED

June 14, 2011

Lyle W. Cayce
Clerk

No. 10-30917
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JAMES T. HARRISON, JR.,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 5:09-CF-279-9

Before JOLLY, GARZA, and STEWART, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent James T. Harrison, Jr., has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Harrison has filed a response, moving for the appointment of new counsel. This motion, however, is untimely. *Cf. United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998). We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Harrison's response. We concur with

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, 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. MOTION FOR APPOINTMENT OF COUNSEL DENIED.