

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 06-13117
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT FEB 28, 2007 THOMAS K. KAHN CLERK

D. C. Docket No. 06-00013-CR-5-RS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

FOEY B. PADGETT, JR.,
a.k.a. Foye B. Padgett,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Florida

(February 28, 2007)

Before TJOFLAT, ANDERSON and HULL, Circuit Judges.

PER CURIAM:

Robert Augustus Harper, appointed counsel for Foey B. Padgett, Jr, has filed a motion to withdraw on appeal, supported by a brief prepared pursuant to Anders v. California, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967). Padgett's motion to amend his response to counsel's Anders brief, dated December 21, 2006, to include his initial brief, filed on January 8, 2007, is **GRANTED**, as the motion will not prejudice counsel or the government.

Furthermore, our independent review of the entire record reveals that counsel's assessment of the relative merit of the appeal is correct. Because independent examination of the entire record reveals no arguable issues of merit, counsel's motion to withdraw is **GRANTED**, and convictions and sentence are **AFFIRMED**.