

FILED

February 14, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-41133
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DAMEYON ANTOINE NEWTON,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:04-CR-152-1

Before BARKSDALE, GARZA, and CLEMENT, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Dameyon Antoine Newton has filed a motion to withdraw and brief pursuant to Anders v. California, 386 U.S. 738 (1967). Newton has not filed a response. Our independent review of the brief and the record discloses no nonfrivolous issue for appeal. Accordingly, the 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.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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