

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

United States Court of Appeals
Fifth Circuit

FILED

August 17, 2010

Lyle W. Cayce
Clerk

No. 09-20326

Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

RUBEN AGUIRRE-BARRERA, also known as Roberto Kempiz-Aguirre, also known as Ruben Aguirre Rivera, also known as Roberto Kampiz-Aguirre,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:08-CR-476-1

Before DAVIS, SMITH, and WIENER, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Ruben Aguirre-Barrera has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Aguirre-Barrera has not filed a response. Our independent review of the record and counsel's brief discloses no nonfrivolous issue for appeal. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

excused from further responsibilities herein, and the APPEAL IS DISMISSED.
See 5TH CIR. R. 42.2.