

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

United States Court of Appeals  
Fifth Circuit

**FILED**

October 5, 2009

No. 09-50065

Summary Calendar

Charles R. Fulbruge III  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SALVADOR ISRAEL LOZANO,

Defendant-Appellant.

Appeal from the United States District Court  
for the Western District of Texas  
No. 3:08-CR-2247-2

Before DAVIS, SMITH, and DENNIS, Circuit Judges.

PER CURIAM:\*

The appointed attorney for Salvador Lozano has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Lozano has filed a response. Our review of the record, counsel's brief, and Lozano's response discloses no nonfrivolous issue. 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.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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