

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

United States Court of Appeals
Fifth Circuit

FILED

October 6, 2010

Lyle W. Cayce
Clerk

No. 10-10034

Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

LARRY DEWAYNE PRITCHETT,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:09-CR-123-1

Before KING, BENAVIDES, and ELROD, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Larry Dewayne Pritchett has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Pritchett has not filed a response. Our independent review of the record and counsel's brief discloses no nonfrivolous issue for appeal.

The record does reveal a clerical error in the judgment. The judgment should be corrected to reflect that for Counts Four, Five, and Six, Pritchett was

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

convicted and sentenced for conspiracy to commit bank robbery under 18 U.S.C. §§ 371 and 2113(a), rather than bank robbery under § 2113(a); and for Count Seven, Pritchett was convicted and sentenced for attempted bank robbery, rather than bank robbery. *See* FED. R. CRIM. P. 36.

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. This matter is REMANDED for correction of the clerical error pursuant to FED. R. CRIM. P. 36.