

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

F I L E D

December 8, 2010

No. 10-30182
Conference Calendar

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

WENSESLAO MARTINEZ-JIMENEZ, also known as Jose Angel Martinez, also known as Abrahan Jimenez Alvarez, also known as Jose A. Martinez, also known as Jose Martinez, also known as Jose Angel Martinez-Angeles, also known as Wenseslao Martinez-Jiminez, also known as Wubenseslao Jimenez Martinez, also know as Wenseslao Martinez Jimenez,

Defendant-Appellant

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:09-CR-295-1

Before KING, BENAVIDES, and PRADO, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Wenseslao Martinez-Jimenez (Martinez) has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Because Martinez was deported from the United States before the *Anders* motion and brief were

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 10-30182

filed, he was not served. 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 excused from further responsibilities herein, and the APPEAL IS DISMISSED in part as frivolous, *see* 5TH CIR. R. 42.2, and in part as moot. *See United States v. Rosenbaum-Alanis*, 483 F.3d 381, 383 (5th Cir. 2007).