

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

United States Court of Appeals
Fifth Circuit

FILED

August 9, 2011

Lyle W. Cayce
Clerk

No. 10-41223
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

VICTOR BARAHONA-DIAZ, also known as Francis Arnoldo Martinez-Portillo, also known as Nelson Montesino, also known as Israel Torres-Pagan, also known as Raul Diaz Arce, also known as Victor Diaz, also known as Israel Pagan Torres, also known as Diablo Chavery,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:10-CR-684-1

Before KING, JOLLY, and GRAVES, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Victor Barahona-Diaz has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Barahona-Diaz has not filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein. We concur with

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. 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.