

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

United States Court of Appeals
Fifth Circuit

FILED

October 7, 2010

Lyle W. Cayce
Clerk

No. 10-50062

Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

FLOYD DAVID REED,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:96-CR-19-1

Before HIGGINBOTHAM, SMITH, and HAYNES, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Floyd David Reed has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Reed has not filed a response. Our independent review of the record and counsel's brief discloses no nonfrivolous issue for appeal. At his revocation hearing, Reed admitted the fact of his Texas conviction. This admission was a sufficient basis for the district court to revoke his supervised release. *See, e.g., United States v. Spraglin*, 418 F.3d 479, 480 (5th Cir. 2005)

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

(per curiam). The revocation proceedings also complied with the requirements of due process. *See generally United States v. Holland*, 850 F.2d 1048, 1050-51 (5th Cir. 1988) (per curiam). And the district court's decision to impose the statutory maximum sentence on revocation was not plainly erroneous. *See, e.g., United States v. Whitelaw*, 580 F.3d 256, 265 (5th Cir. 2009). 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.