

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

United States Court of Appeals
Fifth Circuit

FILED

December 17, 2012

No. 11-20837
Conference Calendar

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

EPIFANIO NINO NINO, also known as Epifanio Nino, also known as Epifanio Nino Nino Nino, also known as Pual Romero, also known as Epifanio Nino-Nino,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:11-CR-434-1

Before DAVIS, OWEN, and HIGGINSON, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Epifanio Nino Nino 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). Nino has filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Nino's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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