

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

United States Court of Appeals
Fifth Circuit

FILED

May 18, 2012

Lyle W. Cayce
Clerk

No. 11-40152 c/w No. 11-40154
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

BENJAMIN RODRIGUEZ-HERNANDEZ, also known as Benjamin Perez-Romero,

Defendant-Appellant

Appeals from the United States District Court
for the Southern District of Texas
USDC No. 5:07-CR-273-1
USDC No. 5:10-CR-1243-1

Before DENNIS, CLEMENT, and OWEN, Circuit Judges

PER CURIAM:*

The attorney appointed to represent Benjamin Rodriguez-Hernandez has moved for leave to withdraw and has filed a brief and two supplemental briefs in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Rodriguez-Hernandez has not filed a response. We have reviewed counsel's briefs and the relevant portions of the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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