

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

United States Court of Appeals
Fifth Circuit

FILED

June 13, 2013

Lyle W. Cayce
Clerk

No. 12-10687
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

versus

MATTHEW RODRIGUEZ,

Defendant–Appellant.

Appeal from the United States District Court
for the Northern District of Texas
No. 3:11-CR-311-1

Before SMITH, PRADO, and HIGGINSON, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Matthew Rodriguez has moved for leave to withdraw and has filed a brief in accordance with *Anders*

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 12-10687

v. California, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Rodriguez has filed a response. We have reviewed counsel's brief, the relevant portions of the record reflected therein, and Rodriguez's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, the 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.