

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

United States Court of Appeals
Fifth Circuit

FILED

February 19, 2013

Lyle W. Cayce
Clerk

No. 12-40603
c/w No. 12-40604
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JUAN ANTONIO GRACIA-MONTELONGO,

Defendant-Appellant

Appeals from the United States District Court
for the Southern District of Texas
USDC No. 1:09-CR-226-1
USDC No. 1:11-CR-945-1

Before KING, CLEMENT, and HAYNES, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Juan Antonio Gracia-Montelongo 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). Gracia-Montelongo has not filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein.

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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We concur with counsel's assessment that the appeals present 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 APPEALS ARE DISMISSED. *See* 5TH CIR. R. 42.2.