

**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. 12-40637
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

versus

JASON ROY THOMAS,

Defendant–Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
No. 1:11-CR-48-1

Before SMITH, PRADO, and HIGGINSON, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Jason Thomas has

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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moved 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). Thomas has filed a response in which he moves for appointment of counsel.

We have reviewed counsel's brief, the relevant portions of the record reflected therein, and Thomas's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, the motion to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the appeal is DISMISSED. *See* 5TH CIR. R. 42.2. The motion for appointment of counsel is DENIED.