

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

United States Court of Appeals
Fifth Circuit

FILED

May 24, 2013

Lyle W. Cayce
Clerk

No. 12-40656
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

LUIS AGUILAR-HERNANDEZ,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:11-CR-1997-1

Before JONES, DENNIS, and HAYNES, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Luis Aguilar-Hernandez 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). Aguilar-Hernandez has filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Aguilar-Hernandez's response. 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

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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further responsibilities herein, and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2.