

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

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No. 13-40928  
Conference Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

June 17, 2014

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

IMER ROSALES-HERNANDEZ, also known as Francisco Fuentes-Rosales,

Defendant-Appellant

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 5:13-CR-91-1

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Before KING, HAYNES, and HIGGINSON, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Imer Rosales-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). Rosales-Hernandez has filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Rosales-Hernandez's response. We concur with counsel's assessment that

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\* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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the appeal presents no nonfrivolous issue for appellate review. With respect to Rosales-Hernandez's request to be moved to a prison in California, this court does not have the authority to determine prisoner location. 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.