

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

United States Court of Appeals  
Fifth Circuit

**FILED**

December 17, 2013

Lyle W. Cayce  
Clerk

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No. 13-50243  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

NICOLAS GUERRERO GAONA,

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 2:12-CR-878-1

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Before DAVIS, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:\*

The Federal Public Defender appointed to represent Nicolas Guerrero Gaona 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). Guerrero Gaona has filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Guerrero Gaona's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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