

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

No. 15-11088
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

June 24, 2016

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

OCTAVIA JEROME THOMAS,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 6:15-CR-10-1

Before JOLLY, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Octavia Jerome Thomas 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). Thomas has not filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein. We

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 15-11088

concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review.

However, our review of the record reveals two clerical errors that require remand. First, the written order of revocation incorrectly indicates that Thomas "admitted as true some of the allegations contained in [the motion to revoke] and not true as to one of the allegations." In fact, Thomas admitted all of the allegations in the motion to revoke. Second, the district court did not complete a statement of reasons form reflecting in writing its grounds for imposing a sentence that exceeded Thomas's policy statement range. *See United States v. Whitelaw*, 580 F.3d 256, 261-62 (5th Cir. 2009); 18 U.S.C. § 3553(c)(2).

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. We REMAND to the district court for correction of the noted clerical errors pursuant to Federal Rule of Criminal Procedure 36.