

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

No. 15-40251
Conference Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 15, 2015

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JORGE RODRIGUEZ-PENALOZA,

Defendant-Appellant

Appeals from the United States District Court
for the Eastern District of Texas
USDC No. 4:13-CR-268-3

Before JONES, SOUTHWICK, and COSTA, Circuit Judges.

PER CURIAM:*

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

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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