

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

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No. 15-41657  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

December 8, 2016

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

APOLINAR CRUZ-DESANTIAGO,

Defendant-Appellant

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 5:15-CR-697-1

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Before DAVIS, SOUTHWICK, and HIGGINSON, Circuit Judges.

PER CURIAM:\*

The Federal Public Defender appointed to represent Apolinar Cruz-Desantiago has moved for leave to withdraw and has filed briefs in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). In response, Cruz-Desantiago has moved for an extension of time and the appointment of new counsel. Cruz-Desantiago's pro se motions are DENIED as untimely. *See United States v. Wagner*, 158 F.3d

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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901, 902–03 (5th Cir. 1998); *United States v. Sierra*, 186 F. App'x 461, 462 (5th Cir. 2006).

We have reviewed counsel's briefs and the relevant portions of the record reflected therein. 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 further responsibilities herein, and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2.