

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

\_\_\_\_\_  
No. 16-40866  
Conference Calendar  
\_\_\_\_\_

United States Court of Appeals  
Fifth Circuit

**FILED**

February 22, 2017

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

MIGUEL ANGEL IMBODEN-VALLEJO, also known as Luis Fernando Pineda,

Defendant-Appellant

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 1:16-CR-26-1  
\_\_\_\_\_

Before JOLLY, PRADO, and SOUTHWICK, Circuit Judges.

PER CURIAM:\*

The Federal Public Defender appointed to represent Miguel Angel Imboden-Vallejo 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). Imboden-Vallejo has submitted an

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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unauthorized appellate brief, which we construe as a motion for leave to file an out-of-time response and GRANT.

We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Imboden-Vallejo's response. 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.