

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 16-50295  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

January 10, 2017

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JAVIER GARCIA-ROMAN,

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 2:09-CR-777-3

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Before JONES, WIENER, and CLEMENT, Circuit Judges.

PER CURIAM:\*

The Federal Public Defender appointed to represent Javier Garcia-Roman 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). Garcia-Roman has filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Garcia-Roman's response. We concur with counsel's

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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