

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

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No. 16-51275  
Conference Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

August 18, 2017

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

GUSTAVO FACUNDO GARZA,

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 2:09-CR-408-1

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Before JOLLY, HIGGINBOTHAM, and ELROD, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Gustavo Facundo Garza 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). Garza has not filed a response. Although Garza remains subject to a term of supervised release, he has completed the term of imprisonment imposed upon the revocation of his supervised release. We have reviewed

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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counsel's brief 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 in part as frivolous, *see* 5TH CIR. R. 42.2, and in part as moot, *see United States v. Heredia-Holguin*, 823 F.3d 337, 340 (5th Cir. 2016) (en banc).