

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

No. 17-20733
Conference Calendar

United States Court of Appeals
Fifth Circuit

FILED
September 20, 2018

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

FRANK FLORES,

Defendant-Appellant

Appeals from the United States District Court
for the Southern District of Texas
USDC No. 4:16-CR-273-3

Before HIGGINSON, COSTA, and HO, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Frank Flores 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). Flores has not filed a response. We have reviewed 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.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

We note, however, that there is a clerical error in the written judgment. The written judgment references 21 U.S.C. § 841(b)(1)(B)(viii), which is correct for Flores's offense of possession with intent to distribute 5 grams or more of methamphetamine. The written judgment erroneously describes the nature of the offense as possession with intent to distribute 5 "kilograms" or more of methamphetamine. The word "kilograms" should be replaced with "grams" under Nature of Offense. Accordingly, we REMAND for correction of the clerical error in the written judgment in accordance with Federal Rule of Criminal Procedure 36. See *United States v. Hernandez*, 719 F. App'x 395, (5th Cir. 2018); *United States v. Perez-Gonzalez*, 294 F. App'x 854, 855 (5th Cir. 2008).