

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

December 10, 2020

Lyle W. Cayce  
Clerk

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No. 18-40649  
Conference Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

SERGIO MARTINEZ-TAPIA,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 5:17-CR-953-1

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Before SMITH, STEWART, and HIGGINSON, *Circuit Judges.*

PER CURIAM:\*

The attorney appointed to represent Sergio Martinez-Tapia 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). Martinez-Tapia has not filed a response. We have reviewed

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.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. *See* 5TH CIR. R. 42.