

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

United States Court of Appeals
Fifth Circuit

FILED

June 1, 2020

Lyle W. Cayce
Clerk

No. 19-50482
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

PHILLIP SCHUESSLER, also known as Philip Martin Schuessler,

Defendant-Appellant

Appeals from the United States District Court
for the Western District of Texas
USDC No. 5:17-CR-697-1

Before CLEMENT, GRAVES, and OLDHAM, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Phillip Schuessler 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). Schuessler 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

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 19-50482

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.

The judgment is REFORMED to provide for a concurrent five-year term of supervised release as to count two, as the district court imposed in its oral pronouncement. *See United States v. Hernandez-Guevara*, 162 F.3d 863, 877-78 (5th Cir. 1998); *United States v. Mireles*, 471 F.3d 551, 557-58 (5th Cir. 2006).