

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

November 5, 2020

Lyle W. Cayce  
Clerk

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No. 19-50945  
Conference Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

JOSE FRANCISCO RENTERIA-GUTIERREZ, *also known as* JAIRO RIVERA-GUTIERREZ, *also known as* JOSE F. RENTERIA-GUTIERREZ, *also known as* GUTIERREZ RENTERIA, *also known as* JOSE LAGARDA-GUTIERREZ, *also known as* JOSE FRANCIS LAGARDA-GUTIRREZ, *also known as* JOSE FRANCI RENTIERA-GUTIERREZ, *also known as* JOSE RIVERA-GUTIERREZ,

*Defendant—Appellant,*

CONSOLIDATED WITH

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No. 19-50947

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

JOSE FRANCISCO RENTERIA-GUTIERREZ,

*Defendant—Appellant.*

No. 19-50945  
c/w No. 19-50947

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Appeals from the United States District Court  
for the Western District of Texas  
USDC No. 4:19-CR-15-1  
USDC No. 4:19-CR-326-1

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Before GRAVES, WILLETT, and DUNCAN, *Circuit Judges*.

PER CURIAM:\*

The Federal Public Defender appointed to represent Jose Francisco Renteria-Gutierrez moves 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). Renteria-Gutierrez has filed a pro se response. We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Renteria-Gutierrez's response. We concur with counsel's assessment that the appeals present no nonfrivolous issue for appellate review.

Nevertheless, there is a clerical error in the written judgment in No. 4:19-CR-15 because it does not include 18 U.S.C. § 2 as a violated statutory provision. It will not cause prejudice to the Government if the district court corrects the judgment in that case on remand to include 18 U.S.C. § 2 in the list of violated provisions.

Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the appeals are DISMISSED. *See* 5TH CIR. R. 42.2. The case is REMANDED to the district court for the limited purpose of correcting the judgment in No. 4:19-

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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.

No. 19-50945  
c/w No. 19-50947

CR-15 to include 18 U.S.C. § 2 in the list of violated statutory provisions. *See*  
FED. R. CRIM. P. 36.