

# United States Court of Appeals for the Fifth Circuit

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No. 23-10101  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

March 8, 2024

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

JOHN DARREN SMITH,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:22-CR-274-8

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Before HIGGINBOTHAM, STEWART, and SOUTHWICK, *Circuit  
Judges.*

PER CURIAM:\*

The attorney appointed to represent John Darren Smith 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). Smith has not filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein. We concur with

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\* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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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. 42.2.