

IN THE UTAH COURT OF APPEALS

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State of Utah,	)	MEMORANDUM DECISION
	)	(Not For Official Publication)
Plaintiff and Appellee,	)	
	)	Case No. 20060363-CA
v.	)	
	)	F I L E D
Caesar Rodriguez,	)	(December 14, 2006)
	)	
Defendant and Appellant.	)	<span style="border: 1px solid black; padding: 2px;">2006 UT App 502</span>

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Second District, Ogden Department, 051902675  
The Honorable Michael D. Lyon

Attorneys: Randall W. Richards, Ogden, for Appellant

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Before Judges Greenwood, Davis, and Orme.

PER CURIAM:

Appellant Caesar Rodriguez appeals his conviction and sentence for aggravated assault. Rodriguez's counsel filed a brief in accordance with Anders v. California, 386 U.S. 783 (1967) and State v. Clayton, 639 P.2d 168 (Utah 1981). The brief "objectively demonstrate[s] that the issues raised are frivolous." State v. Flores, 855 P.2d 258, 260 (Utah Ct. App. 1993) (per curiam); see also Dunn v. Cook, 791 P.2d 873, 877 (Utah 1990) (stating an Anders brief must demonstrate any "potentially meritorious" issues are actually frivolous). Based upon our independent examination of the record, we determine that the appeal is, indeed, wholly frivolous and, accordingly, we affirm the decision of the district court and grant counsel's motion to withdraw.

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Pamela T. Greenwood,  
Associate Presiding Judge

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James Z. Davis, Judge

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Gregory K. Orme, Judge