

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

United States Court of Appeals  
Fifth Circuit

**FILED**

July 2, 2009

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No. 08-40601  
Summary Calendar

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Charles R. Fulbruge III  
Clerk

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

MARLON ARTURO DUBON-VALENZUELA

Defendant-Appellant

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 7:08-CR-291-1

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Before DAVIS, GARZA, and PRADO, Circuit Judges.

PER CURIAM:\*

The Federal Public Defender appointed to represent Marlon Arturo Dubon-Valenzuela has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Dubon-Valenzuela has filed a response. Our independent review of the record, counsel's brief, and Dubon-Valenzuela's response discloses no nonfrivolous issue for appeal. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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excused from further responsibilities herein, and the APPEAL IS DISMISSED.

*See* 5TH CIR. R. 42.2.