

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

United States Court of Appeals  
Fifth Circuit

**FILED**

June 13, 2013

Lyle W. Cayce  
Clerk

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No. 12-10687  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff–Appellee,

versus

MATTHEW RODRIGUEZ,

Defendant–Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
No. 3:11-CR-311-1

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Before SMITH, PRADO, and HIGGINSON, Circuit Judges.

PER CURIAM:\*

The Federal Public Defender appointed to represent Matthew Rodriguez has moved for leave to withdraw and has filed a brief in accordance with *Anders*

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 12-10687

*v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Rodriguez has filed a response. We have reviewed counsel's brief, the relevant portions of the record reflected therein, and Rodriguez's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, the 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.