

United States Court of Appeals for the Fifth Circuit

No. 24-10075
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

July 30, 2024

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JUAN AGUILERA DURAN,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:23-CR-230-1

Before HIGGINBOTHAM, JONES, and OLDHAM, *Circuit Judges*.

PER CURIAM:*

The Federal Public Defender appointed to represent Juan Aguilera Duran 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). Aguilera Duran has filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected

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

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therein, as well as Aguilera Duran's response. We concur with 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. Aguilera Duran's request for appointment of substitute counsel is DENIED as untimely because it was filed after counsel filed an *Anders* brief. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).