

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 08-10623
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT SEPT 10, 2008 THOMAS K. KAHN CLERK
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D. C. Docket No. 06-00010-CR-JFN-6

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

TONY SMITH,
a.k.a. Rapp Ware,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Georgia

(September 10, 2008)

Before ANDERSON, BIRCH and DUBINA, Circuit Judges.

PER CURIAM:

Laura Wheaton, appointed counsel for Tony Smith in this direct criminal

appeal, has moved to withdraw from further representation of the appellant and filed a brief pursuant to Anders v. California, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967). Our independent review of the entire record reveals that counsel's assessment of the relative merit of the appeal is correct. Because independent examination of the entire record reveals no arguable issues of merit, counsel's motion to withdraw is **GRANTED**, and Smith's conviction and sentence are **AFFIRMED**.