

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 08-14832
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT JUNE 4, 2009 THOMAS K. KAHN CLERK

D. C. Docket No. 99-00204-CR-T-17-TGW

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

FRANK MERCER, JR.,
a.k.a. Cedrick,
a.k.a. Ced the Head,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida

(June 4, 2009)

Before DUBINA, Chief Judge, TJOFLAT and HILL, Circuit Judges.

PER CURIAM:

James W. Smith, III, appointed counsel for Frank Mercer, Jr., has filed a motion to withdraw on appeal supported by a brief prepared 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 the district court's reduction of Mercer's sentence, pursuant to 18 U.S.C. § 3582(c)(2), is **AFFIRMED**.