

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 08-15369
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT May 15, 2009 THOMAS K. KAHN CLERK

D. C. Docket No. 02-00449-CR-T-17MSS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PHILLIP WAINWRIGHT,

Defendant-Appellant.

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

(May 15, 2009)

Before BIRCH, HULL and KRAVITCH, Circuit Judges.

PER CURIAM:

James W. Smith, III, appointed counsel for Phillip Wainwright in this appeal

from the district court's denial of a motion to reduce Wainwright's sentence under 18 U.S.C. § 3582(c)(2), 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). Because independent examination of the entire record reveals no issues of arguable merit, counsel's motion to withdraw is **GRANTED**, and the district court's denial of relief under § 3582(c)(2) is **AFFIRMED**.