

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 08-16699
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT JUNE 23, 2009 THOMAS K. KAHN CLERK
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D. C. Docket No. 08-60114-CR-JIC

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ELYDIUKYS FABELO,

Defendant-Appellant.

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

(June 23, 2009)

Before CARNES, WILSON and COX, Circuit Judges.

PER CURIAM:

Robin J. Farnsworth, appointed counsel for Elydiukys Fabelo in this direct

criminal appeal, has filed a motion to withdraw from further representation, 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 record reveals no arguable issues of merit, counsel's motion to withdraw is **GRANTED**, and Fabelo's convictions and sentences are **AFFIRMED**. However, we discovered a scrivener's error in the judgment and, therefore, this case is **REMANDED** for the limited purpose of correcting the judgment so that it indicates that the Count 4 conviction was for a conspiracy to use a firearm during a drug-trafficking crime under 18 U.S.C. § 924(o).