

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 09-11273
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT OCTOBER 27, 2009 THOMAS K. KAHN CLERK

D. C. Docket No. 08-00176-CR-WS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JAMES HAROLD BURKE, JR.,
a.k.a. Short Man,

Defendant-Appellant.

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

(October 27, 2009)

Before BLACK, MARCUS and ANDERSON, Circuit Judges.

PER CURIAM:

Kristen Gartman Rogers, appointed counsel for James Harold Burke, 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 issues of arguable merit, counsel's motion to withdraw is **GRANTED**, and Burke's conviction and sentence are **AFFIRMED**.