

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 09-14561  
Non-Argument Calendar

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FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT FEBRUARY 25, 2010 JOHN LEY CLERK
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D. C. Docket No. 06-00074-CR-HL-5

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GREGORIO GARCIA,

Defendant-Appellant.

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

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(February 25, 2010)

Before BLACK, CARNES and MARCUS, Circuit Judges.

PER CURIAM:

John Philip Fox, appointed counsel for Gregario Garcia 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**, Garcia's motion to proceed *pro se* is **DENIED**, and his conviction and sentence are **AFFIRMED**.