

No. _____

In The
SUPREME COURT OF THE UNITED STATES

Pedro Hernandez Zarate,

Petitioner,

v.

The United States of America,

Respondent.

C On Petition For a Writ of Certiorari to
The supreme Court of the United States

APPENDIX

PETITION FOR WRIT OF CERTIORARI
Pedro Hernandez Zarate
Pro Se Appellant
37364-509
FCI-Pollock
P.O. Box 4050
Pollock, LA 71467

United States Court of Appeals for the Fifth Circuit

No. 23-10164
Summary Calendar

United States Court of Appeals
Fifth Circuit
FILED
September 5, 2023

UNITED STATES OF AMERICA,

Lyle W. Cayce
Clerk

Plaintiff—Appellee,

versus

PEDRO HERNANDEZ ZARATE,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:21-CR-112-3

Before SMITH, HIGGINSON, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Pedro Hernandez Zarate has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Zarate has filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as

* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

No. 23-10164

Zarate's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the appeal is DISMISSED. *See* 5TH CIR. R. 42.2.

Sincerely,

LYLE W. CAYCE, Clerk

By:


Mary Frances Yeager, Deputy Clerk

Enclosure(s)

Mr. Brian W. McKay
Mr. Pedro Hernandez Zarate