

NOT PRECEDENTIAL

THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 02-1633

UNITED STATES OF AMERICA

vs.

RAMON GARCIA

Appellant.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

(D.C. Criminal No. 01-cr-00676-1)
District Judge: The Honorable William G. Bassler

Submitted Under Third Circuit LAR 34.1(a)
January 30, 2004

BEFORE: NYGAARD and FUENTES, Circuit Judges,
and O'NEILL, * District Judge.

* Honorable Thomas N. O'Neill, Jr., Senior District Judge for the United States District Court for the Eastern District of Pennsylvania, sitting by designation.

(Filed: February 23, 2004)

OPINION OF THE COURT

NYGAARD, Circuit Judge.

Appellant Ramon Garcia pleaded guilty to distribution of at least five kilograms of cocaine, in violation of 21 U.S.C. § 846. The District Court sentenced the Appellant to seventy months imprisonment, which was at the lowest end of the sentencing guideline range for his crime and criminal history. Garcia filed a notice of appeal, *pro se*, and we appointed Arza R. Feldman, Esq., to assist with the appeal. Attorney Feldman filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Counsel indicated that there are no non-frivolous issues for appeal.

We have carefully reviewed the Appellant's brief, along with the responsive brief of the United States and other matters of record. Garcia did not file a *pro se* brief. We conclude, after our own review of the entire record, that the District Court did not err. Accordingly, the judgment of the District Court will be affirmed.

The motion of defense counsel to withdraw will be granted.