

UNITED STATES COURT OF APPEALS
TENTH CIRCUIT

MAY 23 2002

PATRICK FISHER
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MELVIN CLYDE COLLINS,

Defendant - Appellant.

No. 01-7119

(D.C. No. CR-01-10-S)
(E.D. Oklahoma)

ORDER AND JUDGMENT*

Before **SEYMOUR, HENRY**, and **BRISCOE**, Circuit Judges.

After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. See Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument.

This is a direct appeal by defendant Melvin Clyde Collins from his conviction of kidnapping, in violation of 18 U.S.C. § 1201, and the sentence imposed. We dismiss the

*This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

appeal.

Collins' appellate counsel filed an Anders brief in which he stated he “is of the opinion that no meritorious issue can be found to support an appeal.” Br. at 1. On November 15, 2001, counsel filed a motion to withdraw, stating that he had mailed a copy of his motion and of the appellate brief to Collins. On January 11, 2002, Collins filed a pro se “Motion to Withdraw Appeal,” agreeing “there [are] no meritorious issues to support the appeal and [he] has no objections to bring forth.”

Counsel's motion to withdraw is GRANTED. Collins' motion to withdraw the appeal is GRANTED and the appeal is DISMISSED. The mandate shall issue forthwith.

Entered for the Court

Mary Beck Briscoe
Circuit Judge