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for the Third Circuit

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USA v. Rodriquez

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NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No: 02-3999

UNITED STATES OF AMERICA

v.

JOSE RODRIQUEZ,
a/k/a JOSE MATE,
a/k/a FRANCISCO LUNA-TAVERES,
a/k/a FRANCISCO LUNA,
a/k/a FRANCISCO LUNA-TAVAREZ,
a/k/a EUSEBIO DeJESUS

Jose Rodriquez,

Appellant

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
D.C. Criminal No. 01-cr-00323-14
District Judge: Mary A. McLaughlin

Submitted Pursuant to Third Circuit LAR 34.1(a)
July 15, 2003
Before: McKee, Barry & Rosenn, Circuit Judges

(Filed: July 24, 2003)

OPINION OF THE COURT

McKee, Circuit Judge.

Jose Rodriguez entered a guilty plea to one count of a multi-count indictment in which he was charged with possessing with intent to distribute, and aiding and abetting the possession of cocaine within 1,000 feet of a school. Following sentencing, he filed

this appeal. A guilty plea waives virtually all claims of appellate relief except the trial court's jurisdiction to accept the plea, and claims that the plea is invalid or the sentence is illegal. *U.S. v. Broce*, 488 U.S. 563 (1989). Counsel for Rodriguez has filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967) in which he claims that he has undertaken a conscientious review of the record and that there are no nonfrivolous issues for appeal. Inasmuch as we agree that there are no nonfrivolous issues for appeal, we will affirm the judgment of the district court and grant counsel's motion to withdraw.

TO THE COURT:

Please file the foregoing opinion.

By the Court

/s/ Theodore A. McKee

Circuit Judge

