

United States Court of Appeals for the Fifth Circuit

No. 23-10898
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

August 7, 2024

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JESUS GONZALEZ-URBINA,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:23-CR-88-1

Before SMITH, STEWART, and DUNCAN, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Jesus Gonzalez-Urbina has moved for leave to withdraw and has filed briefs in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Gonzalez-Urbina has filed a response that includes a motion for the appointment of substitute counsel. That motion is DENIED. *See*

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

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United States v. Wagner, 158 F.3d 901, 902-03 (5th Cir. 1998). To the extent Gonzalez-Urbina seeks to raise claims of ineffective assistance of counsel, we pretermitt such claims without prejudice to collateral review because the record is not sufficiently developed to allow us to make a fair evaluation of them. *See United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014).

We have reviewed counsel's briefs and the relevant portions of the record reflected therein, as well as Gonzalez-Urbina'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.