

United States Court of Appeals for the Fifth Circuit

No. 25-10307
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

November 24, 2025

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

LEMARCUS HOUSTON,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:24-CR-167-1

Before STEWART, GRAVES, and OLDHAM, *Circuit Judges*.

PER CURIAM:*

Lemarcus Houston appeals his guilty plea conviction for conspiracy to possess a mixture and substance containing a detectable amount of methamphetamine with intent to distribute. Houston contends that his trial counsel was ineffective for not filing a motion to dismiss or quash the criminal complaint.

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

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Houston did not assert a claim of ineffective assistance in the district court, and the record is not sufficiently developed to enable us to make a fair evaluation of such a claim on direct appeal. *See United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014). Therefore, we decline to consider Houston's claim without prejudice to his right to seek collateral review in an appropriate proceeding. *See id.*

Accordingly, the judgment of the district court is AFFIRMED. The Government's motion to dismiss the appeal is DENIED.