

June 22, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-40654
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DARREL DARNELL WILLIAMS,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 6:03-CR-54-ALL

Before WIENER, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Darrel Darnell Williams has moved for leave to withdraw and has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967). Our independent review of the record, counsel's brief, and Williams's response shows that there are no nonfrivolous issues for appeal. The record is insufficiently developed to allow consideration on direct appeal of Williams's claim of ineffective assistance of counsel. See United States v. Higdon, 832 F.2d 312, 314 (5th Cir. 1987). Accordingly, without prejudice to Williams's right

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

to file a motion pursuant to 28 U.S.C. § 2255, the motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and this appeal is DISMISSED. See 5TH CIR. R. 42.2.