

October 25, 2006

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-31082
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

PATRICK A. WRIGHT,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 3:05-CR-30013-1

Before JOLLY, DeMOSS, and STEWART, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Patrick A. Wright has moved for leave to withdraw and has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967). Wright filed a response in which he alleges that he received ineffective assistance of counsel. The record is not sufficiently developed to allow us to fairly evaluate the merits of this issue. Therefore, it is not reviewable on direct appeal. See United States v. Higdon, 832 F.2d 312, 313-14 (5th Cir. 1987).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Our independent review of counsel's brief, Wright's response, and the record discloses no nonfrivolous issues for appeal. 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.