

UNITED STATES COURT OF APPEALS  
FIFTH CIRCUIT

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No. 00-40794

(Summary Calendar)

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MELVIN WAYNE ORR, also known as Jim,

Defendant - Appellant.

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Appeal from the United States District Court  
For the Eastern District of Texas  
USDC No. 4:99-CR-91-3

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August 7, 2001

Before JONES, SMITH, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

Court-appointed counsel for Melvin Wayne Orr has moved for leave to withdraw and has filed a brief as required by *Anders v. California*, 386 U.S. 738 (1967). Orr has filed a response to

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

counsel's motion to withdraw, raising, among other things, various claims of ineffective assistance of counsel. The record has not been adequately developed for us to consider Orr's ineffective assistance claims on direct appeal. *See United States v. Higdon*, 832 F.2d 312, 313-14 (5th Cir. 1987). Our independent review of counsel's brief, Orr's response, and the record discloses no nonfrivolous appellate issues. 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.