

June 20, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-20413
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CHARLES ANTHONY ROBERTS,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:05-CR-375-ALL

Before JONES, Chief Judge, and JOLLY and DENNIS, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Charles Anthony Roberts has requested leave to withdraw and has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967). Roberts has filed a response. Our independent review of the record, counsel's brief, and Roberts's response discloses no nonfrivolous issue for appeal. The record is insufficiently developed to allow consideration at this time of Roberts's claims of ineffective assistance of counsel. See United States v. Cantwell, 470 F.3d 1087, 1091 (5th Cir. 2006). Accordingly,

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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 for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. See 5TH CIR. R. 42.2. The motion by Roberts for substitution of counsel is DENIED. See United States v. Wagner, 158 F.3d 901, 902-03 (5th Cir. 1998).