

February 14, 2007

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 05-10173  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

REGINALD WAYNE DAVIS, also known as Old School,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 1:04-CR-41-5  
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Before BARKSDALE, GARZA, and CLEMENT, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Reginald Wayne Davis has moved for leave to withdraw and has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967). Davis has filed a response to counsel's motion. Our independent review of the record, counsel's brief, and Davis's response shows that there are no nonfrivolous issues for appeal. The record is insufficiently developed to allow consideration of Davis's claims of ineffective assistance of counsel in this direct appeal. See United States v. Higdon, 832 F.2d 312, 313-14 (5th Cir. 1987).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Accordingly, 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.