

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-60376
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHN FITZGERALD MERRILL,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 4:99-CR-104-1-D-B
- - - - -
February 15, 2001

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

PER CURIAM:*

Counsel appointed to represent John Fitzgerald Merrill has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Merrill has filed a response to counsel's motion. The record has not been adequately developed for us to consider his ineffective-assistance-of-counsel arguments on direct appeal. See United States v. Haese, 162 F.3d 359, 363 (5th Cir. 1998). Our independent review of the brief, the record, and Merrill's response discloses no

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

nonfrivolous issue. Accordingly, the motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED.