

April 18, 2007

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 05-50799  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

WILLIAM RAFAEL RIVERA,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 5:03-CR-564-7  
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Before HIGGINBOTHAM, BENAVIDES, and PRADO, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent William Rafael Rivera on appeal has requested leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Rivera has filed a response. Our independent review of the brief, Rivera's response, and the record discloses no nonfrivolous issue for appeal. The record is insufficiently developed to allow consideration of Rivera's claims of ineffective assistance of counsel. See United States v. Higdon, 832 F.2d 312, 313-14 (5th Cir. 1987). Accordingly, the motion for leave to withdraw is

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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GRANTED, counsel is excused from further responsibilities herein,  
and the APPEAL IS DISMISSED. See 5TH CIR. R. 42.2.