

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

October 20, 2009

Charles R. Fulbruge III  
Clerk

\_\_\_\_\_  
No. 09-50106

Conference Calendar  
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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JESHERRICK TAYLOR,

Defendant-Appellant

\_\_\_\_\_  
Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 7:08-CR-37-ALL  
\_\_\_\_\_

Before WIENER, BENAVIDES, and STEWART, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Jesherrick Taylor has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Taylor has not filed a response. The record is insufficiently developed to allow consideration at this time of Taylor's claims of ineffective assistance of counsel raised in his pro se notice of appeal; such claims generally "cannot be resolved on direct appeal when [they have] not been raised before the district court since no opportunity existed to develop the record on the merits of

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the allegations.” *United States v. Cantwell*, 470 F.3d 1087, 1091 (5th Cir. 2006) (internal quotation marks and citation omitted). Our independent review of the record and counsel’s brief discloses no nonfrivolous issue for appeal. 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.