

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 13-10977
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

May 19, 2014

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

LARRY STEVE HAYS,

Defendant-Appellant

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 1:13-CR-6-1

Before JOLLY, SMITH, and CLEMENT, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Larry Steve Hays has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Hays has filed a response and a request for the appointment of counsel. The record is not sufficiently developed to allow us to make a fair evaluation of Hays's claims of ineffective assistance of counsel; we therefore decline to

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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consider the claims without prejudice to collateral review. *See United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014).

We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Hays's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, Hays's motion for the appointment of counsel is DENIED, 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.