

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

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No. 13-50262  
Conference Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

November 4, 2014

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

CARLOS GUERRERO,

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 2:11-CR-1882-13

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Before JOLLY, HIGGINBOTHAM, and OWEN, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Carlos Guerrero 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). Guerrero has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of Guerrero's claim of ineffective assistance of counsel; we therefore decline to consider the claim without prejudice to

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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collateral review. *See United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014), *cert. denied*, 2014 WL 2616172 (Oct. 6, 2014) (No. 13-10484).

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