

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

No. 15-41049
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

February 15, 2016

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

versus

ALEJANDRO OLIVER-LOZANO, Also Known as Alejandro Oliver,

Defendant–Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:15-CR-6-1

Before REAVLEY, SMITH, and HAYNES, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Alejandro Oliver-

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

The record is not sufficiently developed for a fair evaluation of Oliver-Lozano's claims of ineffective assistance of counsel, as to which we express no view. We decline to consider the claims without prejudice to collateral review. *See United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014).

We have examined counsel's brief, relevant portions of the record reflected therein, and Oliver-Lozano'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.*