

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

No. 16-30049
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

November 28, 2016

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

CHARLES JOHNSON, also known as Chuck Johnson, also known as Leon Johnson,

Defendant-Appellant

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 2:12-CR-309-1

Before JOLLY, SMITH, and GRAVES, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Charles Johnson 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). Johnson has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of Johnson's claims of ineffective assistance of

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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counsel; we therefore decline to consider the claims without prejudice to collateral review. *See United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014). Johnson's motion for the appointment of substitute counsel is DENIED.

We have reviewed counsel's brief and the relevant portions of the record referenced therein, as well as Johnson'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.