

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

No. 16-50013
Conference Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 20, 2016

UNITED STATES OF AMERICA,

Lyle W. Cayce
Clerk

Plaintiff-Appellee

v.

SANTOS SALINAS, also known as Tito, also known as Santos Salinas, Jr.,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:15-CR-250-6

Before DENNIS, PRADO, and OWEN, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Santos Salinas 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). Salinas has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of Salinas's claims of ineffective assistance of counsel; we therefore decline to consider them without prejudice to collateral

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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review. *See United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014). The motion for appointment of substitute counsel is DENIED as untimely. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).

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