

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

No. 17-50478
Conference Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 20, 2017

UNITED STATES OF AMERICA,

Lyle W. Cayce
Clerk

Plaintiff-Appellee

v.

JUAN CARLOS HERNANDEZ-GAUDILLO, also known as Juan Caudillo,
also known as Juan Gonzales-Hernandez, also known as Juan Trejo, Jr.,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:17-CR-71-1

Before JONES, DENNIS, and GRAVES, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Juan Carlos Hernandez-Gaudillo 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). Hernandez-Gaudillo has filed a response. The record is not sufficiently developed to allow us to make a fair

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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evaluation of Hernandez-Gaudillo's claim of ineffective assistance of counsel; we therefore decline to consider the claim without prejudice to collateral review. *See United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014); *United States v. Corbett*, 742 F.2d 173, 177 (5th Cir. 1984) (per curiam).

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