

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

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No. 18-10209  
Conference Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

December 18, 2018

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

v.

JAVIER GIOVANNI ARAUJO,

Defendant–Appellant.

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Appeals from the United States District Court  
for the Northern District of Texas  
USDC No. 3:16-CR-478-2

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Before KING, ELROD, and WILLETT, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Javier Giovanni Araujo 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). Araujo has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of Araujo’s claims of ineffective assistance

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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of 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).

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