

United States Court of Appeals
for the Fifth Circuit

No. 19-20594
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

April 12, 2023

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

IVAN PAGOAGA CASTRO,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:19-CR-196-1

Before STEWART, DUNCAN, and WILSON, *Circuit Judges.*

PER CURIAM:*

The Federal Public Defender appointed to represent Ivan Pagoaga Castro has moved for leave to withdraw and has filed briefs in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Castro has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of Castro's claims

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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of ineffective assistance 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 briefs and the relevant portions of the record reflected therein, as well as Castro'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.