

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

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No. 19-50095  
Conference Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

December 12, 2019

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

VICTOR MANUEL CASTILLO-OLIVAS,

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 4:12-CR-275-2

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Before HAYNES, DUNCAN, and ENGELHARDT, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Victor Manuel Castillo-Olivas 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). Castillo-Olivas has filed a response and moves for the appointment of new appellate counsel. The record is not sufficiently developed to allow us to make a fair evaluation of Castillo-Olivas's claims of ineffective assistance of

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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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 Castillo-Olivas's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. 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. Castillo-Olivas's motion to appoint new counsel is DENIED. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).