

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

October 12, 2020

Lyle W. Cayce
Clerk

No. 20-10005
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JESSE BELL,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:17-CR-281-1

Before SMITH, STEWART, and HIGGINSON, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Jesse Bell 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). Bell has filed a response. The record is not sufficiently developed to allow us to

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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make a fair evaluation of Bell'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).

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

The judgment is REFORMED to reflect Bell's conviction under 18 U.S.C. §§ 924(c)(1)(A)(ii) and 2 rather than §§ 924(a)(1)(A)(ii) and 2. *See United States v. Mondragon-Santiago*, 564 F.3d 357, 367-69 (5th Cir. 2009).