

United States Court of Appeals
for the Fifth Circuit

No. 20-10089
Conference Calendar

United States Court of Appeals
Fifth Circuit

FILED

August 7, 2020

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MICHAEL NELSON,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 1:19-CR-76-3

Before JONES, CLEMENT, and HAYNES, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Michael Nelson 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). Nelson has filed a response. The record is not sufficiently developed to allow

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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us to make a fair evaluation of Nelson'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 Nelson'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*.