

# United States Court of Appeals for the Fifth Circuit

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No. 22-11174  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

August 23, 2023

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

NICOLAS RAMIREZ-JIMENEZ,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:18-CR-151-2

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Before DENNIS, ENGELHARDT, and WILSON, *Circuit Judges.*

PER CURIAM:\*

The attorney appointed to represent Nicolas Ramirez-Jimenez 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). Ramirez-Jimenez has filed a response.

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

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The record is not sufficiently developed to allow us to make a fair evaluation of Ramirez-Jimenez's claim of ineffective assistance of counsel; we therefore decline to consider the claim and deny it 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 Ramirez-Jimenez'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, Ramirez-Jimenez's claim for ineffective assistance of counsel is DENIED WITHOUT PREJUDICE to collateral review, and the appeal is DISMISSED. *See* 5TH CIR. R. 42.2.