

United States Court of Appeals for the Fifth Circuit

No. 23-10818
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

September 9, 2024

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MIKE LEAL,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:22-CR-123-2

Before WIENER, HO, and RAMIREZ, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Mike Leal 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). Leal has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of Leal's claim of ineffective assistance of counsel; we

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

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therefore decline to consider the Leal's 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 Leal'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.