

United States Court of Appeals for the Fifth Circuit

No. 24-10667
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 20, 2025

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MIGUEL ANGEL AGUIRRE,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:23-CR-121-5

Before KING, SOUTHWICK, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Miguel Angel Aguirre 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). Aguirre has filed a response and an incorporated motion to appoint new counsel, which is DENIED. See *United States v. Wagner*, 158

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

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F.3d 901, 902-03 (5th Cir. 1998). The record is not sufficiently developed to allow us to make a fair evaluation of Aguirre's claims of ineffective assistance of counsel; we therefore decline to consider the claims without prejudice to his ability to raise them on 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 Aguirre'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.*