

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-10641  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSEPH PAUL RUSSELL, JR.,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:99-CR-304-ALL-T  
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December 12, 2001

Before HIGGINBOTHAM, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:\*

The Federal Public Defender appointed to represent Joseph Paul Russell, Jr. has moved for leave to withdraw and has filed a brief pursuant to Anders v. California, 386 U.S. 738 (1967). Russell has filed a pro se response to counsel's Anders brief, asserting that he was denied the effective assistance of counsel because counsel failed to investigate whether he had violated the conditions of his supervised release. Russell also argues that the district court abused its discretion in revoking his supervised release.

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\* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

The record has not been adequately developed for us to consider in this direct appeal the ineffective assistance claims raised by Russell. See United States v. Hidgon, 832 F.2d 312, 314 (5th Cir. 1987).

Our independent review of the record, counsel's brief, and Russell's response shows that there are no nonfrivolous issues for appeal. Consequently, counsel's 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.