

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-40078
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JUAN GARZA, also known as Juan Garza-Ibarra,
also known as Carlos Garza

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. B-00-CR-377-1

October 8, 2001

Before JOLLY, JONES, and DENNIS, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Juan Garza has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Garza has filed a brief, which is construed as a response to counsel's motion to withdraw. Garza argues, *inter alia*, that his counsel was ineffective for failure to (1) investigate and prepare for arraignment and sentencing, (2) object to inaccurate information in the presentence report, and (3) challenge the legalities of

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Garza's two previous illegal entry convictions. The record has not been adequately developed for us to consider Garza's ineffective assistance arguments on direct appeal. See United States v. Higdon, 832 F.2d 312, 314 (5th Cir. 1987). Our independent review of counsel's brief, Garza's response, and the record discloses no nonfrivolous issue. Accordingly, the motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED.