

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

July 29, 2022

Lyle W. Cayce
Clerk

No. 21-11138
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

RANDALL EMERY BULL,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 2:20-CR-136-2

Before KING, HIGGINSON, and WILLETT, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Randall Emery Bull 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). Bull has filed a response and moves for the appointment of new

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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counsel or, alternatively, to strike counsel's brief and for an extension of time to file an amended or new opening brief. The record is not sufficiently developed to allow us to make a fair evaluation of Bull's claim of ineffective assistance based on appellate counsel's alleged failure to communicate with him; we therefore decline to consider the 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 Bull's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, 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. Bull's motion for appointment of new counsel or, alternatively, to strike counsel's brief and for an extension of time is DENIED.