

United States Court of Appeals for the Fifth Circuit

No. 22-10448
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

June 5, 2023

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

ALBERT GUZMAN,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 1:21-CR-43-1

Before STEWART, DUNCAN, and WILSON, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Albert Guzman 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). Guzman has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of Guzman's claims of ineffective

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

No. 22-10448

assistance of counsel; we therefore decline to consider the claims 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 Guzman'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. Guzman's request for the appointment of substitute counsel is DENIED as untimely. *Cf. United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998). His requests for an extension of time to file an additional response are also DENIED.