

United States Court of Appeals for the Fifth Circuit

No. 24-20526
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

June 18, 2025

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JOSE JAIME SILVA-MARTINEZ,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:24-CR-6-1

Before WIENER, HO, and RAMIREZ, *Circuit Judges.*

PER CURIAM:*

The Federal Public Defender appointed to represent Jose Jaime Silva-Martinez 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). Silva-Martinez has filed a response and an incorporated motion to appoint new counsel, which is DENIED. *See United*

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

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States v. Wagner, 158 F.3d 901, 902-03 (5th Cir. 1998). The record is not sufficiently developed to allow us to make a fair evaluation of Silva-Martinez's claims of ineffective 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 Silva-Martinez'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.