

United States Court of Appeals  
for the Fifth Circuit

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No. 24-30407  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

February 7, 2025

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

VICTOR CLARK KIRK,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Middle District of Louisiana  
USDC No. 3:19-CR-115-1

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

PER CURIAM:\*

The Federal Public Defender appointed to represent Victor Kirk has moved to withdraw and has filed a brief per *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Kirk has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of Kirk's claims of ineffective assistance of counsel; we therefore decline to consider them, without prejudice to collateral review. *See United*

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

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*States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014).

We have reviewed counsel's brief, relevant portions of the record, and Kirk's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, the motion to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the appeal is DISMISSED. *See* 5TH CIR. R. 42.2.