

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

December 15, 2022

Lyle W. Cayce  
Clerk

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No. 21-20638  
Summary Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

MYISHA KEYETTA CARTER,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:20-CR-357-1

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

PER CURIAM:\*

The attorney appointed to represent Myisha Keyetta Carter 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). Carter pleaded guilty in a written plea agreement to conspiracy to commit mail fraud, in violation of 18 U.S.C. § 1349, and was

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

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sentenced to 71 months' imprisonment, three years' supervised release, and \$940,234 in restitution. In her plea agreement, Carter waived the right to appeal or collaterally attack her conviction or sentence, except that she reserved the right to bring a claim of ineffective assistance of counsel.

Carter filed a response to counsel's motion, raising issues that sound in ineffective assistance of plea counsel. The record is not sufficiently developed to allow us on direct appeal to make a fair evaluation of Carter'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 Carter'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.*