

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

April 14, 2022

Lyle W. Cayce
Clerk

No. 21-40293
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MAXINE JULIETTE MITCHELL,

Defendant—Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:19-CR-309-3

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

PER CURIAM:*

The attorney appointed to represent Maxine Juliette Mitchell 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). Mitchell has filed a response. The record, at this time, is not

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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sufficiently developed to allow us to make a fair evaluation of Mitchell's claim of ineffective assistance of counsel; 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 Mitchell's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review of either the judgment or the district court's denial of Mitchell's motion to reduce sentence. 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.*