

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

March 16, 2023

Lyle W. Cayce
Clerk

No. 22-40468
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

TYVARIUS DAITRON TAYLOR,

Defendant—Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:20-CR-382-8

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

PER CURIAM:*

The attorney appointed to represent Tyvarius Daitron Taylor 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). Taylor has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of Taylor's claim of

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

No. 22-40468

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 Taylor'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.