

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

July 9, 2025

Lyle W. Cayce
Clerk

No. 24-10971
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

FERNANDO VELAZQUEZ,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:23-CR-282-2

Before KING, HAYNES, and HO, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Fernando Velazquez 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). Velazquez has filed a response and an incorporated motion to appoint substitute counsel, which is DENIED. *See United States*

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

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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 Velazquez'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 Velazquez'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.