

United States Court of Appeals  
for the Fifth Circuit

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No. 24-30563  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

May 30, 2025

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

BRIAN K. PORTER,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Eastern District of Louisiana  
USDC No. 2:06-CR-279-1

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Before HAYNES, HIGGINSON, and OLDHAM, *Circuit Judges*.

PER CURIAM:\*

The Federal Public Defender appointed to represent Brian K. Porter 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). Porter has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of Porter's claims of

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

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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 Porter'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.