

# United States Court of Appeals for the Fifth Circuit

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No. 24-40541  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

May 1, 2026

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

JOHN W. MOUTON,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 9:22-CR-33-1

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Before SMITH, HIGGINSON, and WILSON, *Circuit Judges.*

PER CURIAM:\*

The attorney appointed to represent John W. Mouton 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). Mouton has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of Mouton's claims of ineffective assistance

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

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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 Mouton'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.*