

United States Court of Appeals for the Fifth Circuit

No. 24-60249
Summary Calendar

United States Court of Appeals
Fifth Circuit
FILED
September 16, 2025
Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JAMES RICHARD MORGAN,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 1:22-CR-62-1

Before RICHMAN, SOUTHWICK, and WILLETT, *Circuit Judges*.

PER CURIAM:*

The attorney appointed to represent James Richard Morgan has moved for leave to withdraw and has filed briefs in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Morgan has filed several responses pro se, as well as motions to

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

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proceed pro se, to withdraw filings by counsel, to dismiss the appeal, and for a copy of the sentencing transcript.

The record is not sufficiently developed to allow us to make a fair evaluation of Morgan's claims of 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). Morgan's motion to proceed pro se on appeal is DENIED as untimely. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).

We have reviewed counsel's briefs and the relevant portions of the record reflected therein, as well as Morgan's responses. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. 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. Morgan's remaining pro se motions are DENIED.