

United States Court of Appeals  
for the Fifth Circuit

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No. 25-10458  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

September 4, 2025

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

EMILIO MARCO BLACK,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:24-CR-279-1

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Before ELROD, *Chief Judge*, and SMITH and STEWART, *Circuit Judges*.

PER CURIAM:\*

The attorney appointed to represent Emilio Marco Black has moved for leave to withdraw as counsel and 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). Black filed a response asserting that, during the presentencing hearing, he was “provided ineffective assistance of counsel.”

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

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He further contends that, in June 2025, he was informed via letter from his court appointed counsel that an *Anders* brief had been filed “without consideration of [his] assessment of the case” or his allegations of ineffective assistance of counsel. Still, Black seeks “dismissal” of this appeal.

Black’s Motion for Dismissal is GRANTED, the Motion to Withdraw as Counsel is DENIED as moot, and the appeal is DISMISSED. FED. R. APP. P. 42(b); 5TH CIR. R. 42.1.