

United States Court of Appeals for the Fifth Circuit

No. 25-40515
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

February 13, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

GERARDO CHAVEZ-SANCHEZ,

Defendant—Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:24-CR-1160-1

Before JONES, DUNCAN, and DOUGLAS, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Gerardo Chavez-Sanchez 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). Chavez-Sanchez has filed a response and moved for the appointment of substitute counsel. The record is not sufficiently developed

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

No. 25-40515

to allow us to make a fair evaluation of Chavez-Sanchez'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). Chavez-Sanchez's request for appointment of substitute counsel is DENIED as untimely. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).

We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Chavez-Sanchez 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.