

# United States Court of Appeals for the Fifth Circuit

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No. 25-40515  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit  
**FILED**  
February 13, 2026

UNITED STATES OF AMERICA,

Lyle W. Cayce  
Clerk

*Plaintiff—Appellee,*

*versus*

GERARDO CHAVEZ-SANCHEZ,

*Defendant—Appellant.*

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

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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

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

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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.*