

United States Court of Appeals for the Fifth Circuit

No. 26-10176
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

October 6, 2026

Thomas B. Plunkett, III
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

MELVIN TRACY NOLLY,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:25-CR-203-1

Before HAYNES, GRAVES, and RAMIREZ, *Circuit Judges*.

PER CURIAM:*

The attorney appointed to represent Melvin Tracy Nolly 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). Nolly has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of Nolly's claims of ineffective assistance of counsel; we therefore decline to consider the claims without

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

No. 26-10176

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 Nolly'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.