

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

December 9, 2019

Lyle W. Cayce  
Clerk

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No. 19-50221  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JOSE CONCEPCION ORTIZ-ARIAS, also known as Jose Concepcion Ortiz-Arreas,

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 4:18-CR-668-6

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Before STEWART, DENNIS, and HO, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Jose Concepcion Ortiz-Arias 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). Ortiz-Arias has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of Ortiz-Arias's claims of

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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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).

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