

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

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No. 13-10424  
Conference Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

June 17, 2014

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

KENDRICK CHAPPLE,

Defendant-Appellant

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:12-CR-273-2

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Before KING, HAYNES, and HIGGINSON, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Kendrick Chapple 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). Chapple has filed a response requesting an extension of time to respond to various orders to show cause issued by this court, and to investigate his counsel's performance.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 13-10424

We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Chapple's response. The record is not sufficiently developed to allow us to make a fair evaluation of Chapple'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). Chapple's motion for an extension of time is DENIED as unnecessary because counsel has adequately satisfied each order to show cause. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review because the defendant validly agreed to waive appeal. 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.