

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

\_\_\_\_\_  
No. 13-40899  
Conference Calendar  
\_\_\_\_\_

United States Court of Appeals  
Fifth Circuit

**FILED**

March 12, 2015

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JUAN ORDUNA-ARMENDARES, also known as Juan Manuel Orduna-  
Almendarez,

Defendant-Appellant

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 7:13-CR-510-1  
\_\_\_\_\_

Before KING, DENNIS, and SOUTHWICK, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Juan Orduna-Armendares 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). Orduna-Armendares has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of Orduna-

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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Armendares'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.), *cert. denied*, 135 S. Ct. 123 (2014).

We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Orduna-Armendares's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, counsel's 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. Orduna-Armendares's request for the appointment of new counsel is DENIED. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).