

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

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No. 14-30055  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

December 2, 2014

Lyle W. Cayce  
Clerk

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

v.

DARRELL R. JOHNS,

Defendant–Appellant.

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 5:13-CR-71-1

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Before PRADO, OWEN, and GRAVES, Circuit Judges.

PER CURIAM:\*

The attorney appointed to represent Darrell R. Johns 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). Johns has filed a response asserting that he received ineffective assistance of counsel and challenging the district court’s denial of his motion to suppress,

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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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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the sufficiency of the evidence to support his conviction, and the district court's denial of his pretrial pro se motion for the appointment of new counsel.

The record is not sufficiently developed to allow us to make a fair evaluation of Johns's claims of ineffective assistance of counsel; we therefore decline to consider the claims without prejudice to Johns raising them on collateral review.<sup>1</sup> We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Johns'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.<sup>2</sup>

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<sup>1</sup> See *United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014), *cert. denied*, 135 S. Ct. 123 (2014) (No. 13-10484).

<sup>2</sup> See 5TH CIR. R. 42.2.