

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 14-40145
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 29, 2014

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

v.

JUAN CARLOS CUELLAR,

Defendant–Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:11-CR-1741-4

Before PRADO, OWEN, and GRAVES, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Juan Carlos Cuellar 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). Cuellar has moved to strike the *Anders* brief, appoint substitute counsel, or proceed pro se on appeal. To the extent his motion raises claims of ineffective assistance of counsel, we decline to consider them without prejudice to

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 14-40145

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 Cuellar's motion. 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. Cuellar's motion to strike the *Anders* brief, appoint substitute counsel, or proceed pro se on appeal is DENIED. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).