

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

No. 15-50374
c/w No. 15-50375
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 1, 2015

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

HENRY ANTONIO ZUNIGA-RIVERA,

Defendant-Appellant

Appeals from the United States District Court
for the Western District of Texas
USDC No. 1:15-CR-22
USDC No. 1:09-CR-608

Before WIENER, HIGGINSON, and COSTA, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Henry Antonio Zuniga-Rivera 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). Zuniga-Rivera has filed a response. The record is not sufficiently developed to allow us to make a fair evaluation of

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

We have reviewed counsel's brief and the relevant portions of the records reflected therein, as well as Zuniga-Rivera's response. We concur with counsel's assessment that the appeals present no nonfrivolous issue for appellate review. Accordingly, the motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEALS ARE DISMISSED. *See* 5TH CIR. R. 42.2. Zuniga-Rivera's motion to remove counsel and to appoint new counsel is DENIED. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998).