

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

No. 16-10046
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 30, 2017

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

KENNETH LARAY WHITE, also known as Jayquan,

Defendant-Appellant

Appeals from the United States District Court
for the Northern District of Texas
USDC No. 3:14-CR-78-1

Before JOLLY, SOUTHWICK, and HIGGINSON, Circuit Judges.

PER CURIAM:*

Kenneth Laray White appeals his guilty-plea convictions for use of a facility of interstate commerce in aid of a racketeering enterprise and being a felon in possession of a firearm. He asserts that his guilty plea was involuntary because his trial attorney rendered ineffective assistance by, inter alia, misinforming him about the strength of the Government’s case and failing to inform him of exculpatory evidence.

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 16-10046

We generally will not consider the merits of an ineffective assistance of counsel claim on direct appeal but will do so only “in rare cases in which the record allows a reviewing court to fairly evaluate the merits of the claim.” *United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014) (internal quotation marks and citation omitted). Because the record concerning counsel’s conduct and motivations was not sufficiently developed in the district court, we do not consider the merits of White’s claim. *See id.*

AFFIRMED.