

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

No. 16-41560
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED
May 31, 2017

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

REYMOND JOSUE LOPEZ-FREGOSO,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 5:15-CR-1515-1

Before JONES, WIENER, and CLEMENT, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Raymond Josue Lopez-Fregoso 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). Lopez-Fregoso has filed a response. To the extent Lopez-Fregoso seeks to raise a claim of ineffective assistance of counsel with respect to his guilty plea, the record is not sufficiently developed

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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to allow us to make a fair evaluation of such a claim; we therefore decline to consider any such claim without prejudice to collateral review. *See United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014).

We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Lopez-Fregoso'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. *See* 5TH CIR. R. 42.2.