

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

No. 16-50970
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

April 26, 2017

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

MELVIN WARD,

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 7:15-CR-201-1

Before JOLLY, SMITH, and GRAVES, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Melvin Ward 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). Ward has filed a response. He requests substitution of new counsel for his appointed attorney, an extension of time for a new attorney to file a responsive brief, and a stay of the proceedings. The motion is DENIED as untimely as 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

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the appointment of counsel. *See United States v. Wagner*, 158 F.3d 901, 902-03 (5th Cir. 1998). Because the decision in *Beckles v. United States*, 137 S. Ct. 886 (2017), has issued, the motion for a stay of the proceedings is DENIED as well.

We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Ward's response. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, counsel's 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.*