

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

United States Court of Appeals
Fifth Circuit

FILED

June 21, 2018

Lyle W. Cayce
Clerk

No. 17-40843
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

EDMUNDO LOPEZ-ESCAMILLA, also known as Mundo,

Defendant-Appellant

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:14-CR-91-15

Before DAVIS, COSTA, and ENGELHARDT, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Edmundo Lopez-Escamilla 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-Escamilla has filed a response. He has also moved for the appointment of substitute counsel. The record is not sufficiently developed to allow us to make a fair evaluation of Lopez-Escamilla's claims of ineffective

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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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. 2014).

We have reviewed counsel’s brief and the relevant portions of the record reflected therein, as well as Lopez-Escamilla’s response. We concur with counsel’s assessment that the appeal presents no nonfrivolous issue for appellate review.

Our review reveals a clerical error in the judgment. The judgment states that Lopez-Escamilla pleaded guilty to conspiracy to possess with intent to manufacture and distribute cocaine. Lopez-Escamilla pleaded guilty to conspiracy to possess with intent to distribute cocaine; therefore, the word “manufacture” should be deleted from the description of the nature of the offense.

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. Lopez-Escamilla’s request for the appointment of substitute counsel is DENIED. This matter is REMANDED for the limited purpose of correcting the clerical error in the judgment. *See* FED. R. CRIM. P. 36.