

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

United States Court of Appeals
Fifth Circuit

FILED

July 9, 2018

Lyle W. Cayce
Clerk

No. 17-41229
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

GUILLERMO VALENTE ZUNIGA-GARCIA,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:17-CR-352-1

Before JOLLY, OWEN, and HAYNES, Circuit Judges.

PER CURIAM:*

The Federal Public Defender appointed to represent Guillermo Valente Zuniga-Garcia 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-Garcia has filed a response and a motion for appointment of new counsel. The record is not sufficiently developed to allow us to make a fair evaluation of Zuniga-Garcia's claims 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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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. 2014).

We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Zuniga-Garcia'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, Zuniga-Garcia's motion for appointment of counsel is DENIED, and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2.