

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

February 15, 2021

Lyle W. Cayce  
Clerk

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No. 20-40057  
Summary Calendar

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

RICHARD LEE RAMOS,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 2:19-CR-848-1

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Before KING, SMITH, and WILSON, *Circuit Judges.*

PER CURIAM:\*

Richard Lee Ramos pled guilty, pursuant to a written agreement, to conspiracy to transport aliens. He was sentenced to 120 months in prison, the statutory maximum and effective guidelines range. On appeal, Ramos argues first, that ineffective assistance of counsel rendered his guilty plea

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\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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invalid, and second, that the district court erred when it increased his sentence for his supervisory role and denied him a reduction for accepting responsibility.

The record is not sufficiently developed to allow us fairly to evaluate Ramos's ineffective assistance of counsel claims. Therefore, we decline to consider them without prejudice to collateral review. *See United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014). Further, on the record before us, Ramos has not shown that his waiver of his right to appeal his sentence is invalid, and his suggestion that his right to appeal his sentence was reinstated by the district court's comments at sentencing is unavailing. *See United States v. Serrano-Lara*, 698 F.3d 841, 843-45 (5th Cir. 2012); FED. R. CRIM. P. 11(c)(1); *see also United States v. De Leon*, 915 F.3d 386, 390 (5th Cir.), *cert. denied*, 139 S. Ct. 2731 (2019); *United States v. Miles*, 10 F.3d 1135, 1140 (5th Cir. 1993).

Accordingly, the judgment of the district court is AFFIRMED.