

United States Court of Appeals
for the Fifth Circuit

No. 22-10356
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

December 15, 2022

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JEREMY LEE KIDD,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 1:21-CR-19-3

Before HIGGINBOTHAM, GRAVES, and HO, *Circuit Judges.*

PER CURIAM:*

The attorney appointed to represent Jeremy Lee Kidd 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). Kidd has filed a response in which he avers that he wishes to raise claims of ineffective assistance of counsel. Because the record is not sufficiently

* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

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developed to allow us to make a fair evaluation of the proposed claims, we decline to consider them without prejudice to collateral review. *See United States v. Isgar*, 739 F.3d 829, 841 (5th Cir. 2014). To the extent Kidd moves for the appointment of substitute counsel, the motion is DENIED.

We have reviewed counsel's brief and the relevant portions of the record reflected therein, as well as Kidd'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.