

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-30773
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

OBID ABDULLAH ALKUNIFED,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 97-CR-24-ALL
- - - - -

February 11, 1998

Before SMITH, EMILIO M. GARZA, and DeMOSS, Circuit Judges.

PER CURIAM:*

Court-appointed counsel for Obid Abdullah Alkunifed has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Our independent review of the brief and record discloses no nonfrivolous issue. Accordingly, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. See 5th Cir. R. 42.2.

Alkunifed's contention that counsel was ineffective for collaborating with the Assistant United States Attorney (AUSA) 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

close his case and his contention that the AUSA induced him to plead guilty in exchange for legal permanent residence are not sufficiently developed in the record before us; as to those contentions only, Alkunifed's appeal is DISMISSED without prejudice to Alkunifed's ability to raise those contentions in a motion pursuant to 28 U.S.C. § 2255. See United States v. Higdon, 832 F.2d 312, 313-14 (5th Cir. 1988); see also United States v. Birdwell, 887 F. 2d 643, 645 (5th Cir. 1989).

FURTHER, the defendant's motion for appointment of counsel is DENIED.