

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-50621
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

IGNACIO HERNANDEZ-AGUILAR, also
known as Ignacio Avila-Baltazar,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. SA-97-CR-156-all
- - - - -

June 16, 1999

Before EMILIO M. GARZA, BENAVIDES, and PARKER, Circuit Judges.

PER CURIAM:*

Court-appointed counsel for Ignacio Hernandez-Aguilar has moved to withdraw and filed a brief as required by Anders v. California, 386 U.S. 738 (1967), and we have independently reviewed counsel's brief, Hernandez-Aguilar's response, and the record, and we have found no nonfrivolous issue. The record has not been adequately developed for us to consider Hernandez-Aguilar's claim of ineffective assistance of counsel on direct appeal. See United States v. Haese, 162 F.3d 359, 363-64 (5th

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Cir. 1998), cert. denied, ___ S. Ct. ___, 1999 WL 241837 (U.S., May 24, 1999). Accordingly, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. See 5TH CIR. R. 42.2.