

February 14, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 05-40937
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CYPRIANO GONZALES-MARTINEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:04-CR-708-2

Before BARKSDALE, GARZA, and CLEMENT, Circuit Judges.

PER CURIAM:*

Counsel appointed to represent Cypriano Gonzales-Martinez (Gonzales) has moved for leave to withdraw from representation and has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967). Gonzales has filed several responses. Our independent review of the record, counsel's brief, and Gonzales's responses shows that there are no nonfrivolous issues for appeal. Although Gonzales argues in his responses that his counsel was ineffective for various reasons, the record is insufficiently developed to allow consideration of these claims on direct

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

appeal. See United States v. Higdon, 832 F.2d 312, 313-14 (5th Cir. 1987).

Accordingly, the motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. All other outstanding motions are DENIED. See 5TH CIR. R. 42.2.