

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-20085
Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

GERARDO GUAPI LIZALDA,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-97-CR-168-4

February 16, 2000

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

PER CURIAM:*

The attorney appointed to represent Gerardo Guapi Lizalda has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Lizalda has filed a response to counsel's motion in which he argues that his trial counsel was ineffective. The record has not been adequately developed for us to consider Lizalda's argument on direct appeal.

See United States v. Haese, 162 F.3d 359, 363-64 (5th Cir 1998),

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

cert. denied, ___ S. Ct. ___, 1999 WL 241837 (U.S., May 24, 1999). Our independent review of the brief, the record, and Lizalda's response discloses no nonfrivolous issue. Accordingly, the motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED.