

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-40575
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

CARLOS MENDEZ,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. C-98-CR-361-1

December 22, 1999

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

PER CURIAM:*

The federal public defender appointed to represent Carlos Mendez has moved for leave to withdraw and has filed a brief as required by Anders v. California, 386 U.S. 738 (1967). Mendez has filed a response to counsel's motion, asserting that the district court erred when it declined to suppress marijuana seized after an illegal stop, that his sentence was in violation of the Sentencing Guidelines, and that his counsel was ineffective because he failed to challenge the district court's

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

application of the guidelines. Mendez also suggests that he was not permitted to plead guilty.

The record is adequately developed for us to reject Mendez's ineffective-assistance-of-counsel argument. See United States v. Higdon, 832 F.2d 312, 314 (5th Cir. 1987); Strickland v. Washington, 466 U.S. 668, 692 (1994). Our independent review of the briefs and the record discloses no nonfrivolous appellate issue. Accordingly, the motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED.