

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-50335
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JUAN DANIEL SANCHEZ-RIOS,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Western District of Texas
USDC No. P-98-CR-264-ALL
- - - - -

July 21, 2000

Before JOLLY, JONES and BENAVIDES, Circuit Judges.

PER CURIAM:*

Court-appointed counsel for Juan Daniel Sanchez-Rios (Sanchez) has requested leave to withdraw and, in accordance with this court's prior order, has filed a supplemental brief pursuant to Anders v. California, 386 U.S. 738 (1967). Sanchez filed a supplemental response to the motion. He argues that the evidence was insufficient to support the acceptance of his guilty plea to illegal reentry of a deported alien in violation of 8 U.S.C. § 1326(a) and that he should not have been arrested or indicted for this charge. Sanchez also asserts that his counsel provided

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

ineffective assistance by failing to raise this issue before the district court.

Our independent review of Dobbs' briefs, Sanchez' responses, and the record discloses no nonfrivolous issues for appeal. We do not address Sanchez' ineffective assistance argument because this issue was not raised in the district court and the record on this issue has not been adequately developed. See United States v. Bounds, 943 F.2d 541, 544 (5th Cir. 1991). Accordingly, the motion to withdraw is GRANTED, and the appeal is DISMISSED. See 5TH CIR. R. 42.2.