

UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

United States v. Tedric Davis

No. 19-10160, United States Court of Appeals for the Fifth Circuit (November 20, 2019)

SUMMARY

In an unpublished per curiam opinion, the Fifth Circuit granted counsel's motion to withdraw under **Anders v. California** and dismissed Tedric Davis's direct criminal appeal as frivolous, finding no nonfrivolous issues for review. The court concurred with counsel's assessment after reviewing the brief and relevant portions of the record. The opinion is not precedent except under limited circumstances under 5th Cir. R. 47.5.4.

CASE DETAILS

COURT	United States Court of Appeals for the Fifth Circuit
WRITING FOR THE COURT	HAYNES; DUNCAN; ENGELHARDT
JURISDICTION	Federal
DECIDED	November 20, 2019
DOCKET	19-10160
DISPOSITION	dismissed
PROCEDURAL POSTURE	Direct appeal from criminal conviction; attorney moved to withdraw under Anders.
PRECEDENTIAL VALUE	Unpublished
PARTIES	Tedric Davis v. United States

TOPICS

- criminal procedure
- appellate procedure

QUESTIONS PRESENTED

- Whether the appeal presents any nonfrivolous issue for appellate review.

HOLDINGS

- The appeal presents no nonfrivolous issue for appellate review.

KEY QUOTATIONS

“We concur with counsel’s assessment that the appeal presents no nonfrivolous issue for appellate review.”

“Accordingly, counsel’s motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED.”

FACTUAL BACKGROUND

The opinion does not provide a factual background; it solely addresses the Anders motion.

PROCEDURAL HISTORY

Defendant appealed from the United States District Court for the Northern District of Texas, case number 3:17-CR-648-1. Appointed counsel filed an Anders brief and motion to withdraw.

DISPOSITION

dismissed

CASES CITED

- Anders v. California, 386 U.S. 738 (1967)
- United States v. Flores, 632 F.3d 229 (5th Cir. 2011)

OPINION

PER CURIAM.

Case: 19-10160 Document: 00515204677 Page: 1 Date Filed: 11/19/2019 IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT No. 19-10160 Conference Calendar United States Court of Appeals Fifth Circuit FILED November 19, 2019 UNITED STATES OF AMERICA, Lyle W. Cayce Clerk Plaintiff-Appellee v. TEDRIC DAVIS, Defendant-Appellant Appeal from the United States District Court for the Northern District of Texas USDC No. 3:17-CR-648-1 Before HAYNES, DUNCAN, and ENGELHARDT, Circuit Judges.

PER CURIAM: * The attorney appointed to represent Tedric Davis has moved for leave to withdraw and has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967), and United States v. Flores, 632 F.3d 229 (5th Cir. 2011). Davis has not filed a response.

We have reviewed counsel’s brief and the relevant portions of the record reflected therein. We concur with counsel’s assessment that the appeal presents no nonfrivolous issue for appellate review. * 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. Case: 19-10160 Document: 00515204677 Page: 2 Date Filed: 11/19/2019 No. 19-10160 Accordingly, counsel’s motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. See 5TH CIR. R. 42.2. 2

