

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In an unpublished per curiam opinion, the Fifth Circuit granted counsel's motion to withdraw under *\*Anders v. California\** and dismissed Tedric Davis's direct criminal appeal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| PRECEDENTIAL VALUE    | Unpublished                                                                      |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)