

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 21-10051
Non-Argument Calendar

D.C. Docket No. 6:19-cr-00224-WWB-EJK-3

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DANIEL ZIRK,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida

(July 30, 2021)

Before MARTIN, ROSENBAUM, and BRANCH, Circuit Judges.

PER CURIAM:

Charles Taylor, appointed counsel for Daniel Zirk in this direct criminal appeal, has moved to withdraw from further representation of the appellant and filed

a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967). Our independent review of the entire record reveals that counsel's assessment of the relative merit of the appeal is correct. Because independent examination of the entire record reveals no arguable issues of merit, counsel's motion to withdraw is **GRANTED**, and Zirk's convictions and sentences are **AFFIRMED**. Zirk's *pro se* motion for appointment of counsel is **DENIED** as moot.

We recognize that Zirk's response to counsel's motion to withdraw contains allegations that counsel provided ineffective assistance. Because claims of ineffective assistance of counsel are best presented in a 28 U.S.C. § 2255 motion rather than on direct appeal, we decline to consider these claims at this time, *see Massaro v. United States*, 538 U.S. 500, 504–05, 508 (2003), though Zirk is free to raise these allegations on collateral review in a § 2255 motion.