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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff - Appellee,</p> <p>v.</p> <p>JORGE JESUS SERRANO-VILLA,</p> <p>Defendant - Appellant.</p>

No. 06-10093

D.C. No. CR-04-02092-RCC

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Raner C. Collins, District Judge, Presiding

Submitted January 13, 2009**

Before: O'SCANNLAIN, BYBEE, and CALLAHAN, Circuit Judges.

Jorge Jesus Serrano-Villa appeals from his guilty-plea conviction for possession with intent to distribute methamphetamine and cocaine, in violation of

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

21 U.S.C. § 841(a)(1), (b)(1)(A), and importation of methamphetamine and cocaine, in violation of 21 U.S.C. §§ 952(a) and 960(a)(1), (b)(1), and from his 235-month sentence. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Serrano-Villa contends that his counsel was ineffective because counsel: (1) advised Serrano-Villa to reject a plea agreement that would have resulted in a lower sentence; and (2) failed to object to the Presentence Report. We decline to review Serrano-Villa's ineffective assistance of counsel claim on direct appeal because "the record on appeal is [not] sufficiently developed to permit review and determination of the issue," and the legal representation was not so inadequate that it "obviously denie[d]" Serrano-Villa his Sixth Amendment right to counsel. *See United States v. McKenna*, 327 F.3d 830, 845 (9th Cir. 2003); *see also United States v. Jeronimo*, 398 F.3d 1149, 1155 (2005).

AFFIRMED.