

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

MAR 31 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ARON JONZ,

Petitioner - Appellant,

v.

SHERMAN HATCHER; THE
ATTORNEY GENERAL OF THE STATE
OF NEVADA,

Respondents - Appellees.

No. 08-15272

D.C. No. 2:05-cv-01501-PMP-
GWF

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Philip M. Pro, District Judge, Presiding

Submitted January 28, 2010**

Before: FARRIS, HALL, and LEAVY, Circuit Judges.

Nevada state prisoner Aron Jonz appeals from the district court's judgment denying his 28 U.S.C. § 2254 petition. We have jurisdiction pursuant to 28 U.S.C. §§ 1291 and 2253, and we affirm.

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

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

Jonz contends that his counsel's failure to fully explain to him the elements of the charged offense and to provide him with copies of discovery and the pre-sentence report rendered his *Alford* plea involuntary. *North Carolina v. Alford*, 400 U.S. 25 (1970). We affirm the district court because Jonz has not demonstrated that the Nevada state courts' denial of relief was contrary to, or an unreasonable application of, clearly established federal law, as determined by the United States Supreme Court, or based on an unreasonable determination of the facts. *See* 28 U.S.C. § 2254(d); *Hill v. Lockhart*, 474 U.S. 52, 59 (1985); *Strickland v. Washington*, 466 U.S. 668, 686-87, 691-93 (1984).

To the extent Jonz raises an uncertified issue in his briefs, we construe his arguments as a motion to expand the certificate of appealability and we deny the motion. *See* 9th Cir. R. 22-1(e); *Hiivala v. Wood*, 195 F.3d 1098, 1104-05 (9th Cir. 1999) (per curiam).

AFFIRMED.