

DEC 21 2011

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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NOT FOR PUBLICATION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>JULIO CESAR FELICIANO, Jr.,</p> <p>Defendant - Appellant.</p>

No. 10-10186

D.C. No. 2:08-cr-00932-DGC

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
David G. Campbell, District Judge, Presiding

Submitted December 19, 2011**

Before: GOODWIN, WALLACE, and McKEOWN, Circuit Judges.

Julio Cesar Feliciano, Jr. appeals from his jury-trial convictions for armed bank robbery and use of a firearm. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Feliciano contends that his counsel rendered ineffective assistance because

* 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).

he admitted Feliciano's guilt to a count that exposed him to a possible life sentence. We decline to review this claim on direct appeal because the record is insufficiently developed and the legal representation was not so inadequate that it obviously denied Feliciano his Sixth Amendment right to counsel. *See United States v. Daychild*, 357 F.3d 1082, 1095 (9th Cir. 2004). Accordingly, we affirm the district court's judgment without prejudice to Feliciano raising this issue in a collateral attack on the conviction pursuant to 28 U.S.C. § 2255.

AFFIRMED.