

JUN 24 2013

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p style="text-align: center;">Plaintiff - Appellee,</p> <p style="text-align: center;">v.</p> <p>MANUEL GUDINO-SIERRA,</p> <p style="text-align: center;">Defendant - Appellant.</p>
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No. 11-10605

D.C. No. 2:09-cr-00466-PMP

MEMORANDUM*

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

Submitted June 18, 2013**

Before: TALLMAN, M. SMITH, and HURWITZ, Circuit Judges.

Manuel Gudino-Sierra appeals from the district court’s judgment and challenges his guilty-plea conviction for conspiracy to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii), and 846. We have jurisdiction under 28 U.S.C. § 1291, 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).

Gudino-Sierra contends that he received ineffective assistance from his trial counsel in relation to plea negotiations. “Claims of ineffective assistance of counsel are generally inappropriate on direct appeal.” *United States v. McKenna*, 327 F.3d 830, 845 (9th Cir. 2003). Contrary to Gudino-Sierra’s contention, the record on appeal is not sufficiently developed to evaluate the effectiveness of trial counsel. *See id.*

AFFIRMED.