

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 25 2015

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MELVIN FLORES-ORTIZ,

Defendant - Appellant.

No. 14-10404

D.C. No. 4:14-cr-00399-RCC

MEMORANDUM*

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

Submitted June 22, 2015**

Before: HAWKINS, GRABER, and W. FLETCHER, Circuit Judges.

Melvin Flores-Ortiz appeals from the district court's judgment and challenges the 18-month sentence imposed following his guilty-plea conviction for attempted exportation of a firearm and magazines, in violation of 18 U.S.C. § 554.

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).*

Flores-Ortiz contends that he received ineffective assistance of counsel because his attorney failed properly to explain his plea deal. Contrary to Flores-Ortiz's contention, the record does not permit us to consider his ineffective assistance argument on direct appeal. *See United States v. Rahman*, 642 F.3d 1257, 1259-60 (9th Cir. 2011) (this court reviews ineffective assistance claims on direct appeal only where the record is sufficiently developed or inadequate representation is obvious). Flores-Ortiz may pursue this claim through a motion under 28 U.S.C. § 2255.

AFFIRMED.