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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NOT FOR PUBLICATION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>AMEEN ABDUL-JILLIL,</p> <p>Defendant - Appellant.</p>
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No. 10-35367

D.C. Nos. 3:09-cv-00020-RRB
3:04-cr-00070-RRB

MEMORANDUM*

Appeal from the United States District Court
for the District of Alaska
Ralph R. Beistline, Chief District Judge, Presiding

Submitted March 8, 2011**

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

Federal prisoner Ameen Abdul-Jillil appeals from the district court's dismissal of his 28 U.S.C. §2255 habeas motion. We have jurisdiction under 28 U.S.C. §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).

Abdul-Jillil contends that his reliance on counsel's misleading advice regarding the potential sentence rendered his guilty pleas invalid. Irrespective of counsel's advice, Abdul-Jillil was adequately informed, by both the plea agreement and the judge, that he might be sentenced to more than 135 months. Additionally, Abdul-Jillil orally confirmed to the court that he understood the terms and maximum sentence stated in the plea agreement before he entered his guilty pleas. Accordingly, Abdul-Jillil has failed to demonstrate that he was prejudiced by counsel's performance. *See Hill v. Lockhart*, 474 U.S. 52, 57-59 (1985) (applying *Strickland* two-part test to guilty pleas); *see also Womack v. Del Papa*, 497 F.3d 998, 1003-04 (9th Cir. 2007).

Abdul-Jillil's motion to file late excerpts of record and for relief from default is granted.

AFFIRMED.