

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-4272

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JIMMY LEE WILLIAMS, a/k/a Jimmy Lee Williamson, a/k/a J. J. Williamson, a/k/a Jimmy Williamson, a/k/a Jimmy C. Williamson, a/k/a Jimmy J. Williamson, a/k/a Jimmy L. Williamson, a/k/a Ayamawat Bidziil, a/k/a J. Edwards, a/k/a John Bruce, a/k/a Aaron Bruce,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Frank D. Whitney, Chief District Judge. (3:15-cr-00073-FDW-1)

Submitted: November 17, 2016

Decided: November 21, 2016

Before GREGORY, Chief Judge, and MOTZ and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Carol Ann Bauer, Morganton, North Carolina, for Appellant. Jill Westmoreland Rose, United States Attorney, Anthony J. Enright, Assistant United States Attorney, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jimmy Lee Williams pled guilty to conspiracy to defraud the United States, 18 U.S.C. § 371 (2012), and money laundering and aiding and abetting money laundering, 18 U.S.C. § 1956(a)(1)(B)(i) and 2 (2012). The district court sentenced Williams to a total of 105 months' imprisonment. Williams appeals, raising a single claim of ineffective assistance of counsel.

Unless an attorney's ineffectiveness conclusively appears on the face of the record, ineffective assistance claims are not generally addressed on direct appeal. United States v. Benton, 523 F.3d 424, 435 (4th Cir. 2008). Instead, such claims should be raised in a motion brought pursuant to 28 U.S.C. § 2255 (2012), in order to permit sufficient development of the record. United States v. Baptiste, 596 F.3d 214, 216 n.1 (4th Cir. 2010). Because the record does not conclusively establish that counsel provided ineffective assistance to Williams, we conclude that this claim should be raised, if at all, in a § 2255 motion.

Accordingly we affirm the judgment of the district court. We deny Williams' motion to file a pro se brief. See United States v. Penniegraft, 641 F.3d 566, 569 n.1 (4th Cir. 2011). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED