

No. 13-5466
United States v. Caldwell

except in rare cases where the error is apparent from the existing record.” *United States v. Lopez-Medina*, 461 F.3d 724, 737 (6th Cir. 2006). Where the record is silent as to counsel’s reasons for his action or inaction, this court “cannot determine whether his actions reflected a reasoned trial strategy” and cannot adjudicate the question of whether he rendered ineffective assistance. *Id.* Contrary to Caldwell’s position, we conclude that the record does not conclusively establish that Bailey gave Caldwell ineffective assistance. His claim is therefore “more properly raised in a post-conviction proceeding brought pursuant to 28 U.S.C. § 2255, where the record regarding counsel’s performance can be developed in more detail.” *Id.*

The judgment of the district court is affirmed.