

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

NAVEE DIAZ	:	
	:	
v.	:	CIVIL NO. CCB-16-1156
	:	Criminal No. CCB-14-0247
UNITED STATES OF AMERICA	:	
	:	
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MEMORANDUM

Federal prison inmate Navee Diaz has filed a motion to vacate the sentence of 76 months imposed by Judge William D. Quarles, Jr., on August 25, 2015 pursuant to an agreed plea under Fed. R. Crim. P. 11(c)(1)(C).¹ She alleges ineffective assistance of trial counsel. The government's thorough response, however, demonstrates that none of her claims have merit.

In summary, Diaz was represented by experienced trial counsel who reviewed the discovery and then negotiated a below-guidelines plea for his client, who faced overwhelming evidence had she gone to trial. As evident from the record, Judge Quarles conducted a thorough Rule 11 colloquy that demonstrated Diaz's satisfaction with counsel, her understanding of the rights she was giving up, and her acknowledgment of facts sufficient to prove her guilt on both charges to which she pled guilty (bank fraud conspiracy and aggravated identity theft). At sentencing, counsel advocated effectively for the agreed-upon disposition. Finally, Diaz is not retroactively entitled to a minor role adjustment.

Accordingly, Diaz's petition will be denied and a certificate of appealability under 28 U.S.C. § 2253(c) will not be issued. A separate Order follows.

May 18, 2017
Date

/S/
Catherine C. Blake
United States District Judge

¹ Judge Quarles has since retired.