

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20128
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JORGE LUIS JAIMES QUINTANA,

Defendant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CA-H-95-4396
- - - - -

September 3, 1996

Before REAVLEY, JONES and STEWART, Circuit Judges.

PER CURIAM:*

Jorge Louis Jaimes Quintana, #59133-079, filed a motion under 28 U.S.C. § 2255 to vacate, set aside, or correct sentence by a person in federal custody asserting that his guilty plea was involuntary because he was not aware of the potential for a life sentence and that his counsel, both at trial and on appeal, had been ineffective.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

The record shows that Quintana was aware of the potential life sentence and that the plea was knowing and voluntary. See United States v. Santa Lucia, 991 F.2d 179, 180 (5th Cir. 1993). The record also shows that neither trial nor appellate rendered ineffective assistance to Quintana. Hill v. Lockhart, 474 U.S. 52, 58-59 (1985).

The district court did not err in denying Quintana's motion without an evidentiary hearing. United States v. Drummond, 910 F.2d 284, 285 (5th Cir. 1990) (citations omitted), cert. denied, 498 U.S. 1104 (1991).

AFFIRMED.