

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 18-60847

United States Court of Appeals
Fifth Circuit

FILED

May 14, 2020

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

v.

MEERA SACHDEVA,

Defendant–Appellant.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 3:17-CV-835
USDC No. 3:11-CR-68-1

Before HIGGINBOTHAM, SOUTHWICK, and WILLETT, Circuit Judges.

PER CURIAM:*

Meera Sachdeva, federal prisoner # 16240-043, seeks a certificate of appealability (COA) to appeal the district court’s denial of her 28 U.S.C. § 2255 motion challenging her conviction and sentence for one count of health care fraud and two counts of false statements relating to health care. She argues that the district court erred in denying her § 2255 motion without conducting an evidentiary hearing. In the district court, Sachdeva asserted that counsel

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 18-60847

was ineffective because he advised her that she would be subject to a sentence of life imprisonment if she was convicted at trial on all 16 counts charged in the indictment and that she based her decision to plead guilty on this advice. She contends that these assertions were not conclusively refuted by the record. We construe her motion for a COA with respect to the district court's denial of an evidentiary hearing as a direct appeal of that issue. *See Norman v. Stephens*, 817 F.3d 226, 234 (5th Cir. 2016).

Sachdeva does not renew claims alleging ineffective assistance for failing to investigate, failing to hire experts, and failing to share discovery. Accordingly, those issues are abandoned. *See Hughes v. Johnson*, 191 F.3d 607, 613 (5th Cir. 1999).

In order to obtain a COA, Sachdeva must make “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2); *see Slack v. McDaniel*, 529 U.S. 473, 483-84 (2000). Where the district court denies relief on the merits, an applicant must show that reasonable jurists “would find the district court’s assessment of the constitutional claims debatable or wrong.” *Slack*, 529 U.S. at 484. Sachdeva has not met this standard. *See id.*

Her motion for a COA is DENIED. We AFFIRM the denial of an evidentiary hearing.