

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 99-4079

United States of America,

Appellee,

v.

Victor Essil Quinn,

Appellant.

*
*
*
*
*
*
*
*
*

Appeal from the United States
District Court for the
Northern District of Iowa.

[UNPUBLISHED]

Submitted: September 12, 2000

Filed: September 25, 2000

Before McMILLIAN and BOWMAN, Circuit Judges, and BOGUE,¹ District Judge.

PER CURIAM.

Victor Essil Quinn appeals from the decision of the District Court² denying his Motion to Vacate, Set Aside or Correct Sentence Pursuant to 28 U.S.C. § 2255. Quinn alleges ineffective assistance of trial counsel based upon counsel's failure to object or

¹The Honorable Andrew W. Bogue, United States District Judge for the District of South Dakota, sitting by designation.

²The Honorable Michael J. Melloy, United States District Judge for the Northern District of Iowa.

draw attention to the government's failure to comply with 21 U.S.C. § 851 (notice of intent to seek enhanced punishment based upon prior drug convictions).

We review the District Court's order de novo. See Iron Wing v. United States, 34 F.3d 662, 664 (8th Cir. 1994) (reviewing ineffective assistance issue de novo and reviewing underlying predicate facts under the clearly erroneous standard). We conclude that the government complied with the notice requirements of § 851, and therefore defendant's ineffective assistance claim is without merit.

Accordingly, the judgment of the District Court is affirmed.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.