

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

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No. 03-2324

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Oscar Curtis Wilson,

Appellant,

v.

United States of America,

Appellee.

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\* Appeal from the United States

\* District Court for the

\* Northern District of Iowa.

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\* [UNPUBLISHED]

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Submitted: April 7, 2004

Filed: April 23, 2004

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Before BYE, McMILLIAN, and RILEY, Circuit Judges.

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PER CURIAM.

Oscar Wilson appeals the district court's<sup>1</sup> denial of his 28 U.S.C. § 2255 motion to vacate his drug-conspiracy conviction following a jury trial. The district court granted a certificate of appealability on Wilson's claims that trial counsel was ineffective. We affirm.

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<sup>1</sup>The Honorable Donald E. O'Brien, United States District Judge for the Northern District of Iowa.

We agree with the district court that Wilson's trial counsel adequately cross-examined government witnesses, using available evidence to impeach their credibility; and that counsel adequately investigated, declining to call one witness for reasonable strategic reasons. See Strickland v. Washington, 466 U.S. 668, 687, 694 (1984) (to establish ineffective-assistance claim, movant must show deficient representation that prejudiced his case); Graham v. Dormire, 212 F.3d 437, 440 (8th Cir. 2000) (reasonable trial strategy does not constitute ineffective assistance). We also agree with the district court that Wilson did not show he was prejudiced by counsel's failure to call two additional witnesses, or by counsel's advice to Wilson not to testify on his own behalf. See Strickland, 466 U.S. at 694 (to establish prejudice, defendant must show reasonable probability that outcome of trial would have been different).

Accordingly, we grant Wilson's motions to amend his brief, we affirm the judgment of the district court, and we grant counsel's motion to withdraw.

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