United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 06-3327

Michael Jeffery,	*	
	*	
Appellant,	*	Appeal from the United States
	*	District Court for the
v.	*	Southern District of Iowa.
	*	
Warden, John F. Ault,	*	[UNPUBLISHED]
	*	
Appellee.	*	

Submitted: December 7, 2007
Filed: May 5, 2008

Before WOLLMAN, COLLOTON, and BENTON, Circuit Judges.

PER CURIAM.

Michael Kelly Jeffery was sentenced to life in prison after an Iowa jury convicted him of kidnapping and robbery in violation of Iowa Code Ann. §§ 710.1(3), 710.2, 711.1(1), 711.2 (West 2003). He appeals the district court's[1] judgment denying his 28 U.S.C. § 2254 petition. The issue is whether the Iowa Court of Appeals rendered a decision that was not contrary to, or involved no unreasonable application of, clearly established federal law. *See* 28 U.S.C. § 2254(d) (concerning habeas claims adjudicated in state court); Iowa Code Ann. § 702.18 (West 2003) (defining

[1]The Honorable Ronald E. Longstaff, United States District Judge for the Southern District of Iowa.

serious injury); *Jeffery v. Iowa*, No. 04-0351, 2005 WL 67591, at **1-2 (Iowa Ct. App. Jan. 13, 2005) (affirming denial of petition for postconviction relief); *Morales v. Ault*, 476 F.3d 545, 549-50 & n.3 (8th Cir.) (when state prisoner files federal habeas petition, court of appeals, like district court, undertakes limited and deferential review of state court decisions adjudicating his claims; to establish ineffective assistance, movant must demonstrate that his attorney's performance was deficient and that he suffered prejudice as result), *cert. denied*, 128 S. Ct. 177 (2007); *Rodriguez v. United States*, 17 F.3d 225, 226 (8th Cir. 1994) (per curiam) (counsel not ineffective for failing to raise meritless challenge).

Because Jeffery has not made a substantial showing of the denial of a constitutional right, *see* 28 U.S.C. § 2253(c)(2), we decline to expand the certificate of appealability granted by the district court to include Jeffery's pro se arguments.

We affirm the judgment of the district court. *See* 8th Cir. R. 47B. Counsel's motion to withdraw is granted, and Jeffery's motion to appoint new counsel is denied.