
No. 96-3088

United States of America,
Appellee,
v.
Paul C. Turner,
Appellant.

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* Appeal from the United States
* District Court for the
* Eastern District of Missouri.
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* [UNPUBLISHED]
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Submitted: February 5, 1997

Filed: February 20, 1997

Before HANSEN, MORRIS SHEPPARD ARNOLD, and MURPHY, Circuit Judges.

PER CURIAM.

Paul C. Turner appeals the 70-month sentence imposed by the district court¹ after he pleaded guilty to attempting to possess with intent to distribute more than 500 grams of cocaine, in violation of 21 U.S.C. §§ 841(a)(1) and 846. Turner argues he was entitled to an additional one-level acceptance-of-responsibility reduction under U.S. Sentencing Guidelines Manual § 3E1.1(b)(2) (1995), as his former counsel caused the delay in his plea, and he provided the government timely notice of his intent to plead guilty after new counsel was appointed.

We conclude the district court did not clearly err by refusing

¹The Honorable Carol E. Jackson, United States District Judge for the Eastern District of Missouri.

to grant the additional reduction. See United States v. Patterson, 11 F.3d 824, 825 (8th Cir. 1993) (per curiam) (standard of review). By the time Turner pleaded guilty ten days before trial, the court had granted three continuances of the trial date and the government had fully prepared for trial. See United States v. Thompson, 60 F.3d 514, 517 (8th Cir. 1995). Turner may bring any claim he has for ineffective assistance of counsel in a separate proceeding under 28 U.S.C. § 2255 where the record can be appropriately developed. See United States v. Sanchez, 927 F.3d 376, 378 (8th Cir. 1991).

Accordingly, we affirm.

A true copy.

Attest:

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