

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 17-11945
Non-Argument Calendar

D.C. Docket No. 4:16-cr-00267-WTM-GRS-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JACQUEL SEARLES,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Georgia

(October 19, 2017)

Before WILLIAM PRYOR, JORDAN and ROSENBAUM, Circuit Judges.

PER CURIAM:

Jacquel Searles appeals his conviction for possession of a firearm by a convicted felon. 18 U.S.C. §§ 922(g)(1), 924(a)(2), 924(e). Searles argues that his

trial counsel was ineffective for misadvising him that his prior convictions for burglary would not be used to enhance his sentence under the Armed Career Criminal Act. *See id.* § 924(e). Because the district court did not have an opportunity to consider this argument and develop a record regarding trial counsel's performance, we decline to consider Searles's argument for the first time on direct appeal. *See United States v. Puentes-Hurtado*, 794 F.3d 1278, 1285 (11th Cir. 2015). Searles can raise his argument in a postconviction motion. *See* 28 U.S.C. § 2255.

We **AFFIRM** Searles's conviction.