
*Of the Northern District of California, sitting by designation.

BOWNES, Senior Circuit Judge. Defen95 r3ppell95 -

"aggravated felony." U.S.S.G. § 2L1.2(b)(1)(A). The commentary to this section defines "aggravated felony" by reference to 8 U.S.C. § 1101(a)(43), id., cmt. n.1, which includes "an offense relating to . . . forgery . . . for which the term of imprisonment is at least one year" 8 U.S.C. §

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⁵Johnstone also contends that the facts on which his conviction was based amount only to petty larceny at most, not forgery. For the reasons explained infra, we cannot collaterally review the Colorado court's conviction.

post-conviction review is complete. We review the legal determination of the guidelines' meaning and scope de novo.

Luna-Diaz

contends that under Apprendi, he is entitled to a jury determination of whether he was deported following an aggravated felony conviction. See Apprendi,

⁶Moreover, by its express terms, Appendi concerns only

⁷In addition, Johnstone makes two more cursory arguments, neither