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The Strickland ineffective assistance of Counsel standard is somewhat different in the context of a guilty plea. A defendant who plead guilty upon the advice of Counsel may only attack the voluntary or intelligent nature of his plea by showing ineffective assistance of Counsel. Hill v Lockhart, 474 U.S. 52, 106 S.Ct. 366 (1985). In the context of a guilty plea the petitioner must demonstrate that his trial Counsel's performance fell below an objective standard of reasonableness and "that there is a reasonable probability that, but for Counsel's errors, he would not have pleaded guilty and would have insisted on going to trial." Burket v Angelone, 208 F.3d 172, 179 (4th Cir 2000) quoting Hill v Lockhart.

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