

MAR 09 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JEFFREY LAMONT TAYLOR,

Plaintiff - Appellant,

v.

PATRICK ALLUOTTO; et al.,

Defendants - Appellees.

No. 08-55227

D.C. No. 2: 02-cv-04629-CJC

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Cormac J. Carney, District Judge, Presiding

Submitted February 16, 2010**

Before: FERNANDEZ, GOULD, and M. SMITH, Circuit Judges.

Jeffrey Lamont Taylor appeals pro se from the district court's judgment for defendants following a jury trial in his 42 U.S.C. § 1983 action alleging excessive

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

force. We have jurisdiction pursuant to 28 U.S.C. § 1291. We review for abuse of discretion a district court's evidentiary rulings. *Janes v. Wal-Mart Stores, Inc.*, 279 F.3d 883, 886 (9th Cir. 2002). We dismiss the appeal.

We are unable to review the evidentiary determinations Taylor contests on appeal because he failed to file any relevant portions of the trial transcript or to designate a record on appeal. *See Syncom Capital Corp. v. Wade*, 924 F.2d 167, 169 (9th Cir. 1991) (per curiam) (dismissing appeal for failure to provide relevant portions of trial transcript); *Thomas v. Computax Corp.*, 631 F.2d 139, 143 (9th Cir. 1980) (dismissing pro se appellant's appeal for failure to designate and prepare relevant portions of the record on appeal). Accordingly, we dismiss the appeal.

DISMISSED.