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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>STEVEN VLASICH,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>BURT HOFFMAN, Dr., individually and in his official capacity,</p> <p>Defendant - Appellee.</p>
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No. 08-17311

D.C. No. 1:99-cv-06472-OWW-
WMW

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Oliver W. Wanger, District Judge, Presiding

Submitted October 25, 2011**

Before: TROTT, GOULD, and RAWLINSON, Circuit Judges.

Steven Vlasich, a California state prisoner, appeals pro se from the district court's judgment following a jury trial in his 42 U.S.C. § 1983 action alleging deliberate indifference to his serious medical needs. We have jurisdiction under 28

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

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

U.S.C. § 1291. We review for an abuse of discretion the district court's evidentiary rulings. *Nationwide Transp. Fin. v. Cass Info. Sys., Inc.*, 523 F.3d 1051, 1057-58 (9th Cir. 2008). We affirm.

The district court did not abuse its discretion by excluding testimony from Shuster and Rodriguez because it was irrelevant and cumulative. *See* Fed. R. Evid. 401-02, 701-02; *Lutz v. Glendale Union High Sch.*, 403 F.3d 1061, 1071 (9th Cir. 2005) (“[T]he district court has broad authority to limit the number of witnesses on a particular point to avoid cumulative evidence.”).

Vlasich's remaining contentions, including those concerning Hoffman's testimony about his military service, are unpersuasive.

AFFIRMED.