

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 28 2015

FOR THE NINTH CIRCUIT

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DRAGOMIR TASKOV, a.k.a. Drago,

Defendant - Appellant.

No. 14-10437

D.C. No. 2:10-cr-00217-PMP

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Philip M. Pro, District Judge, Presiding

Submitted September 21, 2015**

Before: REINHARDT, LEAVY, and BERZON, Circuit Judges.

Federal prisoner Dragomir Taskov appeals pro se the district court's judgment denying his motion for a new trial under Federal Rule of Criminal Procedure 33. We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

Taskov contends that he is entitled to a new trial because he received new

* 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).

evidence on the fourth day of his jury trial. The district court did not abuse its discretion by denying Taskov's motion. *See United States v. Hinkson*, 585 F.3d 1247, 1259 (9th Cir. 2009) (en banc). Taskov failed to show that the evidence is newly discovered. *See United States v. Harrington*, 410 F.3d 598, 601 (9th Cir. 2005).

Taskov also claims that the district court improperly denied his motion to substitute counsel, improperly denied his post-trial motion for discovery, and violated his right to a speedy trial. We decline to consider these arguments, which Taskov raised for the first time on appeal. *See United States v. Napier*, 463 F.3d 1040, 1045-46 (9th Cir. 2006).

AFFIRMED.