

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

OCT 4 2017

FOR THE NINTH CIRCUIT

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

ERIK TAYLOR,

Plaintiff-Appellant,

v.

VICTOR LEMUS; JOAQUIN RINCON,

Defendants-Appellees.

No.15-56117

D.C. No. 2:11-cv-09614-FMO-SS

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
Fernando M. Olguin, District Judge, Presiding

Submitted September 26, 2017\*\*

Before: SILVERMAN, TALLMAN, and N.R. SMITH, Circuit Judges.

Erik Taylor appeals pro se from the district court's judgment following a jury trial in his 42 U.S.C. § 1983 action alleging excessive force and other constitutional violations related to his arrest and prosecution. We have jurisdiction under 28 U.S.C. § 1291. We affirm.

---

\* 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).

We are unable to consider Taylor's contentions that the district court erred by entering judgment for defendants because Taylor failed to provide any portion of the trial transcript. *See* Fed. R. App. P. 10(b)(2) ("If the appellant intends to urge on appeal that a finding or conclusion is unsupported by the evidence or is contrary to the evidence, the appellant must include in the record a transcript of all evidence relevant to that finding or conclusion."); *Syncom Capital Corp. v. Wade*, 924 F.2d 167, 168 (9th Cir. 1991) (dismissing appeal filed by pro se appellant for failure to comply with Fed. R. App. P. 10(b)(2)).

The motion to withdraw as pro bono counsel for appellant (Docket Entry No. 22) is granted. Upon more detailed review of the record, the March 22, 2016 and May 9, 2017 orders regarding the appointment of pro bono counsel are vacated. This appeal is removed from the court's pro bono program and the Clerk shall amend the docket to reflect that appellant is proceeding pro se.

Taylor's motions for appointment of counsel (Docket Entry Nos. 11, 23) are denied.

**AFFIRMED.**