

Not for Publication in West's Reporter  
**United States Court of Appeals**  
**For the First Circuit**

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No. 16-1272

UNITED STATES OF AMERICA,

Appellee,

v.

ROMELLY DASTINOT,

Defendant, Appellant.

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APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MAINE

[Hon. Jon D. Levy, U.S. District Judge]

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Before

Torruella, Selya and Kayatta,  
Circuit Judges.

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Daphne H. Donahue, with whom Timothy E. Zerillo and Hallett, Zerillo & Whipple, P.A. were on brief, for appellant.

Renée M. Bunker, Assistant United States Attorney, with whom Richard W. Murphy, Acting United States Attorney, and Margaret D. McGaughey, Assistant United States Attorney, Appellate Chief, were on brief, for appellee.

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September 13, 2017

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**SELYA, Circuit Judge.** Following a protracted investigation of drug-trafficking in and around Lewiston, Maine, spearheaded by the federal Drug Enforcement Administration (DEA), a federal grand jury handed up an indictment naming defendant-appellant Romelly Dastinot and eleven codefendants. The indictment charged Dastinot with, inter alia, conspiracy to distribute and possess with intent to distribute controlled substances, see 21 U.S.C. §§ 841(a)(1), 846, and conspiracy to commit money laundering, see 18 U.S.C. § 1956(a)(1)(B)(i). Some of the evidence against Dastinot and his coconspirators was gathered through court-authorized wiretaps, see id. §§ 2510-2522, and Dastinot moved to suppress the evidence gleaned through wiretapping. One of his codefendants, Dimitry Gordon, filed a similar motion.

The district court denied both Dastinot's motion to suppress and Gordon's motion to suppress. Thereafter, Dastinot entered a conditional guilty plea to the lead count of the indictment, see Fed. R. Crim. P. 11(a)(2), reserving the right to challenge the district court's suppression ruling. Gordon, too, entered a conditional guilty plea. After the district court sentenced the two men, both of them filed timely notices of appeal.

We consolidated Dastinot's and Gordon's appeals and heard oral argument on July 26, 2017. We rejected Gordon's appeal by an opinion issued on September 8, 2017. See United States v.

Gordon, \_\_\_ F.3d \_\_\_ (1st Cir. 2017) [No. 15-2087]. We noted at that time that Dastinot's appeal would be decided separately. See id. at \_\_\_ n.1 [slip op. at 2 n.1].

We now turn to Dastinot's appeal. It presents a narrower subset of the issues already considered and resolved in Gordon's appeal. No useful purpose would be served by repastinating soil already well-plowed. Accordingly, we deny Dastinot's appeal for substantially the reasons set forth in our earlier opinion. See id. at \_\_\_ [slip op. at 16-20].

We need go no further. The judgment of the district court is summarily

**Affirmed.** See 1st Cir. R. 27.0(c).