

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-4816

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

NEVYOU ALEMU,

Defendant - Appellant.

Appeal from the United States District Court for the Northern District of West Virginia, at Clarksburg. Irene M. Keeley, District Judge. (1:15-cr-00033-IMK-MJA-3)

Submitted: August 25, 2016

Decided: August 29, 2016

Before NIEMEYER, DIAZ, and FLOYD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Stephen D. Herndon, Wheeling, West Virginia, for Appellant.
William J. Ihlenfeld, II, United States Attorney, Zelda E. Wesley, Assistant United States Attorney, Clarksburg, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Nevyou Alemu appeals his conviction after a bench trial for conspiracy to possess stolen firearms and aiding and abetting the possession of stolen firearms, in violation of 18 U.S.C. §§ 2, 371, 922(j), 924(a)(2) (2012). Alemu's only assertion on appeal is that the district court erred in refusing to admit into evidence a disc containing audio recordings of his related state court proceedings.

This Court reviews a district court's evidentiary rulings for abuse of discretion. United States v. Medford, 661 F.3d 746, 751 (4th Cir. 2011). Thus, we "afford[] the evidentiary ruling substantial deference, and will not overturn the ruling unless the decision was arbitrary and irrational." Id. (internal quotation marks omitted). Our review of the record reveals no abuse of the district court's discretion in excluding the evidence under Fed. R. Evid. 608(b).

Accordingly, we affirm the district court's judgment. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED