

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-4116

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

PAUL R. TOTH, JR., a/k/a P. J. Toth, Jr.,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Robert J. Conrad, Jr., District Judge. (3:14-cr-00195-RJC-DCK-1)

Submitted: November 30, 2016

Decided: December 14, 2016

Before MOTZ, KING, and FLOYD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Eric A. Bach, Charlotte, North Carolina, for Appellant. Leslie R. Caldwell, Assistant Attorney General, Sung-Hee Suh, Deputy Assistant Attorney General, David M. Lieberman, Appellate Section, Patrick M. Donley, William Henry Bowne, III, Anna Kaminska, Fraud Section, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Paul R. Toth, Jr., was convicted after a jury trial of conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h) (2012), and six counts of money laundering concealment, in violation of 18 U.S.C. §§ 2, 1956(a)(2)(B)(i) (2012), and was sentenced to 108 months' imprisonment. On appeal, Toth challenges his convictions, arguing that the district court erred in instructing the jury on willful blindness. We affirm.

We reject Toth's contention that the district court erred in giving an instruction on willful blindness because Toth invited the error of which he now complains by requesting a willful blindness instruction in the proceedings below. See United States v. Lespier, 725 F.3d 437, 445-46, 449-51 (4th Cir. 2013) (invited error doctrine applies where defendant opposed provision of a lesser-included offense instruction and then argued on appeal that it was error for instruction not to have been given); United States v. Hickman, 626 F.3d 756, 772 (4th Cir. 2010) (declining, under invited error doctrine, to review defendant's claim that the jury misused a book containing transcripts of recorded telephone calls where defendant confirmed to the district court that he did not object to the jury having access to the book and further agreed to the method by which the jury would gain access to the book). Further, Toth

does not establish the presence of extraordinary circumstances that would warrant our review of an error invited by an appellant. See Hickman, 626 F.3d at 772.

Accordingly, we affirm the criminal 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