

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 16 2020

FOR THE NINTH CIRCUIT

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

DUANE JENSEN,

Plaintiff-Appellant,

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT; et al.,

Defendants-Appellees.

No. 18-15590

D.C. No. 2:14-cv-00029-RFB-VCF

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Richard F. Boulware II, District Judge, Presiding

Submitted April 7, 2020**

Before: TASHIMA, BYBEE, and WATFORD, Circuit Judges.

Duane Jensen appeals pro se from the district court's judgment following a jury verdict in his 42 U.S.C. § 1983 action alleging violations of his First Amendment rights. We have jurisdiction under 28 U.S.C. § 1291. We affirm.

Jensen waived his challenge to the sufficiency of the evidence supporting the

* 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).

jury's verdict by failing to move for judgment as a matter of law or a new trial before the district court. *See Nitco Holding Corp. v. Boujikian*, 491 F.3d 1086, 1089-90 (9th Cir. 2007) (to preserve a sufficiency-of-the-evidence challenge, a party must file both a pre-verdict motion under Fed. R. Civ. P. 50(a) and a post-verdict motion for judgment as a matter of law or new trial under Rule 50(b)).

AFFIRMED.