

NOT RECOMMENDED FOR FULL-TEXT PUBLICATION

File Name: 10a0140n.06

No. 08-6434

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

JESSE RONDALE BAILEY,

Defendant-Appellant.

)
)
)
)
)
)
)
)
)
)

**ON APPEAL FROM THE
UNITED STATES DISTRICT
COURT FOR THE EASTERN
DISTRICT OF TENNESSEE**

FILED
Mar 04, 2010
LEONARD GREEN, Clerk

BEFORE: CLAY and McKEAGUE, Circuit Judges; POLSTER, District Court Judge.*

Per Curiam. On August 15, 2007, a jury convicted Jesse Bailey on multiple counts of distributing and conspiring to distribute cocaine. Following his conviction, Bailey moved the district court for a Judgment of Acquittal as to Count 1 of the superceding indictment, and, in the alternative, for a New Trial. On July 1, 2007, District Judge Thomas W. Phillips issued an order and memorandum in part denying both motions. Bailey now appeals.

Having duly considered the arguments and the record, we find Bailey's appeal to be meritless. Bailey's arguments were fairly and adequately addressed in Judge Phillips' July 1, 2007 memorandum. Indeed, large sections of Bailey's brief are copied verbatim from his original motion, such that Judge Phillips was presented with – and was able to address in a thorough and competent fashion – the same arguments Bailey now makes on appeal. Because the issuance of a full opinion

*Honorable Dan Aaron Polster, United States District Judge for the Northern District of Ohio, sitting by designation.

No. 08-6495

William Davis v. City of Murfreesboro

would serve no jurisprudential purpose and would be duplicative, we **AFFIRM** on the basis of the district court's memorandum the denial of Bailey's motions for a judgment of acquittal and for a new trial.