

UNPUBLISHED

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

UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*

v.

DARRYL L. LILLISTON, d/b/a Darryl  
Lilliston Seafood,  
*Defendant-Appellant.*

No. 01-4103

Appeal from the United States District Court  
for the Eastern District of Virginia, at Norfolk.  
Raymond A. Jackson, District Judge.  
(CR-00-146)

Submitted: August 31, 2001

Decided: September 17, 2001

Before WIDENER and MOTZ, Circuit Judges, and  
HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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**COUNSEL**

Jon C. Poulson, LAW OFFICES OF JON C. POULSON, Accomac,  
Virginia; James O. Broccoletti, ZOBY & BROCCOLETTI, Norfolk,  
Virginia, for Appellant. Kenneth E. Melson, United States Attorney,  
Robert J. Krask, Assistant United States Attorney, Norfolk, Virginia,  
for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

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### OPINION

#### PER CURIAM:

Darryl L. Lilliston was convicted after a two-day bench trial of one count of violating the Lacey Act, 16 U.S.C.A. §§ 3372(a)(2)(A), 3373(d)(1) (West 2000), and sentenced to four months imprisonment, followed by three years of supervised release. Lilliston appeals, claiming that the evidence was insufficient to support his conviction, and that the district court erred in excluding certain evidence and in admitting evidence of his prior convictions.

We have reviewed the record, including the transcript of Lilliston's trial, and find that his conviction is supported by substantial evidence. *Glasser v. United States*, 315 U.S. 60, 80 (1942); *United States v. Burgos*, 94 F.3d 849, 862 (4th Cir. 1996) (en banc). We also find that the district court did not abuse its discretion in limiting the testimony of certain defense witnesses. *United States v. Hassouneh*, 199 F.3d 175, 182 (4th Cir. 2000). Finally, the district court did not abuse its discretion by admitting into evidence Lilliston's six prior state court convictions for possession of undersized crabs. Fed. R. Evid. 404(b); *United States v. Queen*, 132 F.3d 991, 995 (4th Cir. 1997).

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

*AFFIRMED*