

United States Court of Appeals
For the Eighth Circuit

No. 19-1674

Krystal Megan Delima

Plaintiff - Appellant

v.

Walmart Stores Arkansas, LLC

Defendant - Appellee

Appeal from United States District Court
for the Western District of Arkansas - Fayetteville

Submitted: February 3, 2020

Filed: February 6, 2020

[Unpublished]

Before SHEPHERD, STRAS, and KOBES, Circuit Judges.

PER CURIAM.

Krystal Delima appeals after the jury returned an adverse verdict in her pro se civil action and the district court¹ denied her motion for a new trial. After careful

¹The Honorable Timothy L. Brooks, United States District Judge for the Western District of Arkansas.

review of the record and consideration of the issues properly before us, we find no basis for reversal.² We conclude that there is no merit to Delima's arguments challenging the district court's rulings concerning a surveillance video tape produced during pretrial discovery, see Sheets v. Butera, 389 F.3d 772, 780 (8th Cir. 2004) (rulings on discovery matters are reviewed for gross abuse of discretion), the admissibility of an exhibit at trial, see Cavataio v. City of Bella Villa, 570 F.3d 1015, 1020 (8th Cir. 2009) (district court has broad discretion in its evidentiary rulings at trial), and the jury instructions, see Otting v. J.C. Penney Co., 223 F.3d 704, 712-13 (8th Cir.2000) (refusal to submit jury instruction is reviewed for abuse of discretion). Accordingly, we affirm. See 8th Cir. R. 47B.

²We conclude the district court's ruling on Delima's motion for a new trial is not properly before us because she did not file a new or amended notice of appeal after the district court denied that motion. See Miles v. GMC, 262 F.3d 720, 722-23 (8th Cir. 2001). We also decline to consider the arguments she raised for the first time on appeal. See Mau v. Twin City Fire Ins. Co., 910 F.3d. 388, 391 (8th Cir. 2018).