

		)	
<b>UNITED STATES OF AMERICA,</b>		)	
		)	
<b>v.</b>		)	<b>Criminal No. 10-267 (ESH)</b>
		)	
<b>OLADAYO OLADOKUN,</b>		)	
		)	
<b>Defendant.</b>		)	
		)	

On February 3, 2011, defendant pled guilty to aggravated identity theft, 18 U.S.C. § 1028A, and was sentenced to the two-year mandatory term of imprisonment required by statute on April 1, 2011. Before the Court is defendant's motion for a new trial pursuant to Fed. R. Crim. P. 33, which the Court will deny.

<sup>1</sup> Moreover, defendant’s proffered evidence is not “newly discovered,” but rather repeats the factual predicate for defendant’s January 28, 2011 Motion for Reconsideration of Motion to Suppress Evidence—to wit, that defendant owned the Lexus searched by the authorities, and thus had standing to challenge its search. (Dkt. No. 24 at 2-3.) Indeed, defendant admitted that he and the government had entered into a stipulation as to this very issue prior to his guilty plea one week later. (*Id.* at 3.)

Defendant's Motion for a New Trial pursuant to Rule 33 [Dkt. No. 42] is therefore  
**DENIED.**

**SO ORDERED.**

/s/  
ELLEN SEGAL HUVELLE  
United States District Judge

Date: May 19, 2011