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for the Third Circuit

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Dennison v. PA Dept Corr

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NOT PRECEDENTIAL

IN THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Case No: 05-3921

KERRY DENNISON,

Appellant

v.

PENNSYLVANIA DEPARTMENT OF CORRECTIONS, SCI-Mahoney;
MICHAEL R. YOURON; MARTIN L. DRAGOVICH;
THOMAS P. KOWALSKY; JAMES UNELL; ED KLEM

On Appeal from the United States District Court
for the Middle District of Pennsylvania
District Court No.: 01-CV-00056
District Judge: The Honorable James M. Munley

Submitted Pursuant to Third Circuit L.A.R. 34.1(a)
March 30, 2006

Before: SMITH, and COWEN, *Circuit Judges*,
and THOMPSON, *District Judge**

(Filed: April 6, 2006)

OPINION

Kerry Dennison, a former employee of the Pennsylvania Department of

*The Honorable Anne E. Thompson, Senior District Judge for the United States District Court for the District of New Jersey, sitting by designation.

Corrections, appeals from the order of the United States District Court for the Middle District of Pennsylvania denying his motion for a new trial of his claims of retaliation in violation of Title VII, the Free Speech and Petition clauses of the First Amendment to the United States Constitution, the Pennsylvania Human Relations Act, and the Pennsylvania Whistle Blowers Act.¹ The motion for a new trial alleged that the District Court erred by requiring his counsel to disclose an exhibit to the defense prior to Dennison's closing argument, and by limiting Dennison's presentation of evidence in support of his claims. We review these evidentiary rulings for an abuse of discretion. *United States v. Sokolow*, 91 F.3d 396, 402 (3d Cir. 1996). For the reasons explained by the District Judge in his thorough memorandum, we will affirm the judgment of the District Court.

¹The District Court exercised jurisdiction pursuant to 28 U.S.C. § 1331. We have appellate jurisdiction under 28 U.S.C. § 1291.