

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA

v.

EDUARDO CASIANO

Crim. No. 3:05-cr-195 (JB)

November 13, 2014

ENDORSEMENT ORDER

On March 3, 2008, Petitioner Eduardo Casiano, who had been convicted of two counts of conspiracy to distribute a controlled substance and three counts of selling, distributing, or dispensing a controlled substance, moved [Doc. # 1321] for a new trial on the basis of ineffective assistance of counsel. That motion was denied [Doc. # 1331] as untimely in April 2008. Mr. Casiano now moves again [Doc. # 1414] for a new trial, purportedly on the basis of newly discovered evidence.

However, the only new evidence Mr. Casiano highlights is the indictment of DEA Agent Lee Lucas, who was not involved in this case, for perjury. Mr. Casiano appears to allege that Agent Lucas trained other agents to lie. However, absent any factual support for Mr. Casiano's contention, Mr. Casiano's motion fails as a matter of law. The rest of the claims in Mr. Casiano's motion are not related to newly discovered evidence and are therefore, like Mr. Casiano's previous motion for a new trial, untimely. Accordingly, Mr. Casiano's motion [Doc. # 1414] is DENIED.

IT IS SO ORDERED.

/s/

Janet Bond Arterton, U.S.D.J.

Dated at New Haven, Connecticut this 13th day of November, 2014.