

United States Court of Appeals
For the Eighth Circuit

No. 23-2730

Joe Hand Promotions, Inc.

Plaintiff - Appellee

v.

Cantina El Sol LLC, doing business as Don Gaby's Sports Bar; Jose Manuel Alferes

Defendants - Appellants

Appeal from United States District Court
for the District of Nebraska - Omaha

Submitted: December 20, 2023

Filed: December 28, 2023

[Unpublished]

Before GRUENDER, ERICKSON, and KOBES, Circuit Judges.

PER CURIAM.

Cantina El Sol LLC and Jose Alferes appeal the district court's¹ order granting attorney's fees and costs in this action brought by Joe Hand Promotions, Inc. (JHP)

¹The Honorable Brian C. Buescher, United States District Judge for the District of Nebraska.

under 47 U.S.C. § 553(c) (civil action for unauthorized reception of cable service). After careful consideration of the record and the arguments on appeal, we conclude that the district court did not abuse its discretion in considering JHP's untimely declaration in support of its motion for attorney's fees and costs, see Huggins v. FedEx Ground Package Sys., Inc., 592 F.3d 853, 856 (8th Cir. 2010) (ruling to accept untimely materials due to excusable neglect reviewed for abuse of discretion); or in granting JHP's motion for attorney's fees and costs, see Wheeler v. Mo. Highway & Transp. Comm'n, 348 F.3d 744, 754 (8th Cir. 2003) (reviewing award of attorney fees for abuse of discretion). Accordingly, we affirm. See 8th Cir. R. 47B.
