

United States Court of Appeals

For The Eighth Circuit

Thomas F. Eagleton U.S. Courthouse
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December 15, 2010

Mr. Kent E. Gipson
KENT GIPSON, LLC.
121 E. Gregory Boulevard
Kansas City, MO 64114

RE: 10-2682 Marcellus Williams v. Donald Roper

Dear Counsel:

Enclosed is a copy of the dispositive order in the referenced appeal. Please note that FRAP 40 of the Federal Rules of Appellate Procedure requires any petition for rehearing to be filed within 14 days after entry of judgment. Counsel-filed petitions must be filed electronically in CM/ECF. Paper copies are not required. This court strictly enforces the 14 day period. **No grace period for mailing is granted** for pro-se-filed petitions. A petition for rehearing or a motion for an extension of time must be filed with the Clerk's office within the 14 day period.

Michael E. Gans
Clerk of Court

DMS

Enclosure(s)

cc: Mr. Stephen David Hawke
Mr. Laurence E. Komp
Mr. Michael Joseph Spillane
Mr. Marcellus S. Williams
Mr. James G. Woodward

District Court/Agency Case Number(s): 4:05-cv-01474-RWS

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 10-2682

Marcellus S. Williams

Petitioner - Appellant

v.

Donald Roper

Respondent - Appellee

Appeal from U.S. District Court for the Eastern District of Missouri - St. Louis
(4:05-cv-01474-RWS)

JUDGMENT

Before WOLLMAN, MURPHY, and SHEPHERD, Circuit Judges

This appeal comes before the court on appellant's application for a certificate of appealability. The court has carefully reviewed the original file of the district court, and the application for a certificate of appealability is denied. The appeal is dismissed.

December 15, 2010

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans