

United States Court of Appeals

For The Eighth Circuit

Thomas F. Eagleton U.S. Courthouse
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St. Louis, Missouri 63102

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Clerk of Court

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January 25, 2019

Ms. Amy D. Harwell
FEDERAL PUBLIC DEFENDER'S OFFICE
Suite 200
810 Broadway
Nashville, TN 37203

RE: 17-1716 Lisa Montgomery v. United States

Dear Counsel:

Enclosed is a copy of the dispositive order entered today in the referenced case.

Please review [Federal Rules of Appellate Procedure](#) and the [Eighth Circuit Rules](#) on post-submission procedure to ensure that any contemplated filing is timely and in compliance with the rules. Note particularly that petitions for rehearing must be received by the clerk's office within the time set by FRAP 40 in cases where the United States or an officer or agency thereof is a party (within 45 days of entry of judgment). Counsel-filed petitions must be filed electronically in CM/ECF. Paper copies are not required. Pro se petitions for rehearing are not afforded a grace period for mailing and are subject to being denied if not timely received.

Michael E. Gans
Clerk of Court

CMD

Enclosure(s)

cc: Mr. Bruce E. Clark
Ms. Kelley J. Henry
Mr. David M. Ketchmark
Mr. Philip M. Koppe
Ms. Lisa M. Montgomery
Ms. Lisa G. Nouri
Mr. Jeffrey E. Valenti
Ms. Paige Wymore-Wynn

District Court/Agency Case Number(s): 4:12-cv-08001-GAF

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

No: 17-1716

Lisa M. Montgomery

Movant - Appellant

v.

United States of America

Respondent - Appellee

Appeal from U.S. District Court for the Western District of Missouri - Kansas City
(4:12-cv-08001-GAF)

JUDGMENT

Before SHEPHERD, KELLY and ERICKSON, 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.

Appellant's motion to expand the record is denied as moot.

January 25, 2019

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

/s/ Michael E. Gans