

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 98-2234

De Andra Pye,

Appellant,

v.

CO-I Robert Keener,

Appellee.

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Appeal from the United States
District Court for the Eastern
District of Missouri

[UNPUBLISHED]

Submitted: January 31, 2001

Filed: February 7, 2001

Before McMILLIAN, RICHARD S. ARNOLD, and FAGG, Circuit Judges.

PER CURIAM.

Missouri inmate De Andra Pye appeals from the final judgment entered in the District Court¹ for the Eastern District of Missouri following an adverse jury verdict in his 42 U.S.C. § 1983 action. Pye has moved for preparation of the trial transcript at government expense and for oral argument. We deny the former motion because Pye has not satisfied his burden of demonstrating that the appeal presents a substantial question. In particular, the trial evidence he points to is not contrary to the jury's

¹The Honorable Charles A. Shaw, United States District Judge for the Eastern District of Missouri.

verdict. See Rhodes v. Corps of Eng'rs, 589 F.2d 358, 359-60 (8th Cir. 1978) (per curiam) (denying transcript prepared at government expense where in forma pauperis appellant made only conclusory allegations that trial court erred in ruling against her). Because we are unable to review the issues Pye raises without a transcript, we deny Pye's motion for oral argument and dismiss the appeal. See 8th Cir. R. 47A(a).

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.