

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

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No. 02-2983

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Joseph H. Mopkins; Johnnie M.  
Chester, Sr.; Terrence K. Lott, Sr.;  
Tyrone Williams,

Appellants,

v.

St. Louis Sheriff's Department;  
James W. Murphy, Sheriff,

Appellees.

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\* Appeal from the United States  
\* District Court for the Eastern  
\* District of Missouri.  
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\* [UNPUBLISHED]  
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Submitted: March 19, 2003  
Filed: March 27, 2003

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Before MELLOY, FAGG, and SMITH, Circuit Judges.

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PER CURIAM.

Plaintiffs appeal from the district court's<sup>1</sup> judgment for defendants following a jury trial in their employment-discrimination action. Having carefully reviewed the record, we conclude that the district court did not abuse its discretion in refusing to enter default judgment in plaintiffs' favor, see Harris v. St. Louis Police Dep't, 164

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<sup>1</sup>The Honorable Stephen N. Limbaugh, United States District Judge for the Eastern District of Missouri.

F.3d 1085, 1086 (8th Cir. 1998) (per curiam) (finding no abuse of discretion in district court's denial of default judgment to plaintiff where court had granted defendant additional time to answer); and that the district court did not err in limiting the trial to plaintiffs' failure-to-promote claims, see Wallin v. Minn. Dep't of Corr., 153 F.3d 681, 688 (8th Cir. 1998) (allowing complaint to encompass allegations outside ambit of EEOC charge circumscribes EEOC's investigatory and conciliatory role, and deprives charged party of notice of the charge), cert. denied, 526 U.S. 1004 (1999), or in allowing the City of St. Louis's attorney to represent defendant Murphy. We further conclude that without a transcript, we cannot review the district court's evidentiary rulings or determine whether the jury's verdict is against the manifest weight of the evidence. See Schmid v. United Bhd. of Carpenters & Joiners, 827 F.2d 384, 386 (8th Cir. 1987) (per curiam) (court unable to review evidentiary and weight-of-evidence arguments because no transcript filed), cert. denied, 484 U.S. 1071 (1988).

Accordingly, we affirm. See 8th Cir. R. 47B. We deny the pending motion.

A true copy.

Attest:

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