

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

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No. 03-2623

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James Guice,

Appellant,

v.

Denis H. Agniel,

Appellee.

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Appeal from the United States  
District Court for the Western  
District of Missouri.

[UNPUBLISHED]

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Submitted: December 5, 2003

Filed: December 15, 2003

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Before WOLLMAN, FAGG, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

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PER CURIAM.

James Guice appeals the district court's\* denial of Guice's Federal Rule of Civil Procedure 60(b) motion, in which Guice requested the district court reconsider its order dismissing Guice's 42 U.S.C. § 1983 action. We conclude the district court's denial of Guice's Rule 60(b) motion was not an abuse of discretion because

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\*The Honorable Scott O. Wright, United States District Judge for the Western District of Missouri, adopting the report and recommendations of the Honorable William A. Knox, United States Magistrate Judge for the Western District of Missouri.

Guice failed to demonstrate exceptional circumstances existed to warrant postjudgment relief. See Arnold v. Wood, 238 F.3d 992, 998 (8th Cir.), cert. denied, 534 U.S. 975 (2001). Accordingly, we affirm. See 8th Cir. R. 47B. We also deny the pending motions.

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