

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

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No. 05-2600

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Walter Mountain,

Appellant,

v.

Michael Kemna; Jean Ann Johnson;  
Todd Phillips; Steven Brown; Shawn  
Pettigrew; Wayne Hurley; Kimberly  
Little,

Appellees.

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

[UNPUBLISHED]

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Submitted: December 22, 2005

Filed: January 4, 2006

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Before MURPHY, McMILLIAN, and GRUENDER, Circuit Judges.

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PER CURIAM.

Walter Mountain appeals the district court's<sup>1</sup> order denying his motion for a new trial following a jury verdict for defendants in this 42 U.S.C. § 1983 action. We grant Mountain's in forma pauperis motion, and, because our review of the record convinces us that the district court did not abuse its discretion in denying Mountain's

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<sup>1</sup>The Honorable Gary A. Fenner, United States District Judge for the Western District of Missouri.

motion for a new trial, see Pullman v. Land O'Lakes, Inc., 262 F.3d 759, 762 (8th Cir. 2001) (standard of review), we affirm. See 8th Cir. R. 47A(a).

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