

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

No. 06-1335

Gary Fuller,

Appellant,

v.

Wendell Rayburn; George Brooks;
Robert Culler; John Heyward, Jr.;
Stephana Landwehr; Claude Rogers;
Robert Taylor; Yvonne Wilson;
Donald Wyss; Lincoln University
Board of Curators; Robert Webber;
Ruth McGowan,

Appellees.

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* Appeal from the United States
* District Court for the
* Western District of Missouri.
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* [UNPUBLISHED]
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Submitted: January 30, 2007
Filed: February 22, 2007

Before WOLLMAN, MURPHY, and BYE, Circuit Judges.

PER CURIAM.

Gary Fuller appeals the district court's¹ denial of his Federal Rule of Civil Procedure 60(b)(6) motion. Upon careful review of the record, we conclude the

¹The Honorable Scott O. Wright, United States District Judge for the Western District of Missouri.

district court did not abuse its discretion (1) in accepting a supplemental affidavit filed by defendants in support of their timely opposition to Fuller's motion, and (2) in denying Rule 60(b) relief. See Harley v. Zoesch, 413 F.3d 866, 870 (8th Cir. 2005) (standard of review for denial of Rule 60(b) motion); cf. African Am. Voting Rights Legal Def. Fund, Inc. v. Villa, 54 F.3d 1345, 1350 (8th Cir. 1995) (district court has discretion whether to accept or reject untimely filed materials in support of summary judgment motion). Accordingly, we affirm. See 8th Cir. R. 47B. We also deny Fuller's pending motions.
