

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

No. 06-3467

H.G. Davis,

Appellant,

v.

Johnny Wayne Carter, Judge, one and all; Faulkner County Quorum Court, one and all; H. G. Foster, Prosecuting Atty, one and all; Marty Montgomery, originally sued as Monty Montgomery,

Appellees.

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* Appeal from the United States
* District Court for the
* Eastern District of Arkansas.
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* [UNPUBLISHED]
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Submitted: September 21, 2007
Filed: October 4, 2007

Before BYE, RILEY, and MELLOY, Circuit Judges.

PER CURIAM.

H.G. Davis appeals the district court's¹ order denying his motion to set aside judgment in his 42 U.S.C. § 1983 lawsuit. We find no abuse of discretion in the district court's dismissal of his postjudgment motion as untimely. See Middleton v.

¹The Honorable William R. Wilson, Jr., United States District Judge for the Eastern District of Arkansas.

McDonald, 388 F.3d 614, 616 (8th Cir. 2004) (standard of review). Accordingly, we affirm. See 8th Cir. R. 47B.
