

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 09-3631

United States of America,

Appellee,

v.

Frank Jayrold Bettelyoun,

Appellant.

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Appeal from the United States
District Court for the
District of South Dakota.

[UNPUBLISHED]

Submitted: April 27, 2010

Filed: April 30, 2010

Before WOLLMAN, COLLOTON, and GRUENDER, Circuit Judges.

PER CURIAM.

Frank Jayrold Bettelyoun appeals the district court's¹ denial of his Federal Rule of Criminal Procedure 36 motion to correct a "clerical error" in the amended judgment in his criminal case. We agree with the district court that the amended judgment accurately reflects the sentence imposed; the type of error Bettelyoun alleged was not a clerical error, see United States v. Yakle, 463 F.3d 810, 811 (8th Cir. 2006) (per curiam). Accordingly, the judgment is affirmed. See 8th Cir. R. 47B.

¹The Honorable Richard H. Battey, United States District Judge for the District of South Dakota.