

**United States Court of Appeals**  
**For the Eighth Circuit**

---

No. 12-2783

---

Peter Allan, Sr.

*Appellant*

v.

Dennis Benson; Scott Sutton; Sharon Barney; Dan Hilleren; Joan Fabian; Joel Korby; Mary Lind Schafer; Sue Creager; Alan Eckert, sued in their individual and official capacities

*Appellees*

---

Appeal from United States District Court  
for the District of Minnesota - Minneapolis

---

Submitted: February 7, 2013  
Filed: February 8, 2013  
[Unpublished]

---

Before BYE, ARNOLD, and SHEPHERD, Circuit Judges.

---

PER CURIAM.

Peter Allan, Sr., appeals the district court's<sup>1</sup> order denying his Fed. R. Civ. P. 60(b) motion in his 42 U.S.C. § 1983 action. We find no abuse of discretion in the denial of Rule 60(b) relief, see Swope v. Siegel-Robert, Inc., 243 F.3d 486, 498 (8th Cir. 2001) (district court has broad discretion over whether to grant hearing or make specific findings on Rule 60(b) motion; Rule 60(b) determination will not be overturned absent existence of exceptional circumstances); and we find no merit to Mr. Allan's other arguments for reversal. See 8th Cir. R. 47B.

---

---

<sup>1</sup>The Honorable Ann D. Montgomery, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Jeffrey J. Keyes, United States Magistrate Judge for the District of Minnesota.