

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

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No. 12-4026

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David H. McDowell

*Plaintiff - Appellant*

v.

Tankinetics, Inc.; William K. Angle; Strand Composite Engineering &  
Construction, LLC; St. Clair P. Guess, III; Robert W. McManus; William F. Schwarz

*Defendants - Appellees*

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Appeal from United States District Court  
for the Western District of Missouri - Springfield

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Submitted: May 28, 2013

Filed: May 31, 2013

[Unpublished]

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Before MURPHY, SMITH, and COLLOTON, Circuit Judges.

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PER CURIAM.

David McDowell appeals the district court's<sup>1</sup> denial of his Federal Rule of Civil Procedure 60(b) motion following dismissal of his employment discrimination suit based on lack of personal jurisdiction. We conclude that the district court did not abuse its discretion in denying the motion, see Arnold v. Wood, 238 F.3d 992, 998 (8th Cir. 2001) (standard of review), because we agree with the court that McDowell did not present exceptional circumstances warranting relief, see Harley v. Zoesch, 413 F.3d 866, 871 (8th Cir. 2005) ("Relief is available under Rule 60(b)(6) only where exceptional circumstances have denied the moving party a full and fair opportunity to litigate his claim and have prevented the moving party from receiving adequate redress."). Accordingly, we affirm. See 8th Cir. R. 47B.

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<sup>1</sup>The Honorable Richard E. Dorr, late a United States District Judge for the Western District of Missouri.