

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 98-1541NE

United States of America,	*	
	*	
Appellee,	*	Appeal from the United States
	*	District Court for the District
v.	*	of Nebraska.
	*	
Mark W. Hamilton,	*	[UNPUBLISHED]
	*	
Appellant.	*	

Submitted: June 9, 1998
Filed: June 15, 1998

Before FAGG, BRIGHT, and BEAM, Circuit Judges.

PER CURIAM.

Mark W. Hamilton appeals the district court's order adopting the magistrate judge's recommendation and denying Hamilton's motion for dismissal of the indictment on double jeopardy grounds. Having considered the parties' submissions, we are satisfied the district court committed no error of law and the motion to dismiss was correctly denied. Hamilton's arguments are foreclosed by this court's decision in Walker v. Rushing, 898 F.2d 672 (8th Cir. 1990). We thus affirm the district court. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.