

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

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No. 98-2392

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Billy James Barrett,	*
	*
Appellant,	*
	* Appeal from the United States
v.	* District Court for the
	* District of Nebraska.
Rick Boardman, doing business as	*
Boardman Aerial Spraying,	* (UNPUBLISHED)
	*
Appellee.	*

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Submitted: September 7, 1998  
Filed: September 11, 1998

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Before WOLLMAN, HANSEN, and KELLY, Circuit Judges.

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PER CURIAM.

Billy James Barrett appeals from the district court's<sup>1</sup> dismissal of his action for failure to state a claim. Having carefully reviewed the record and the parties' submissions, we conclude no error of law appears, and we affirm the judgment of the district court. See 8th Cir. R. 47B.

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<sup>1</sup>The Honorable Richard G. Kopf, United States District Judge for the District of Nebraska, adopting the report and recommendations of the Honorable David L. Piester, United States Magistrate Judge for the District of Nebraska.

A true copy.

Attest:

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