

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 97-3497

Carl A. Terry,

Appellant,

v.

Dave Dormire,

Appellee.

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* Appeal from the United States

* District Court for the

* Eastern District of Missouri.

* [UNPUBLISHED]

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Submitted: February 9, 1999

Filed: February 16, 1999

Before WOLLMAN, LOKEN, and MORRIS SHEPPARD ARNOLD, Circuit
Judges.

PER CURIAM.

Carl A. Terry appeals from the order dismissing as time-barred under the provisions of 28 U.S.C. § 2244(d)(1) his petition for writ of habeas corpus filed under 28 U.S.C. § 2254.

The order is reversed, and the case is remanded to the district court for reinstatement of the petition and for further proceedings thereon. See Smith v. Bowersox, 159 F.3d 345 (8th Cir. 1998).

A true copy.

Attest:

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