

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

No. 98-3106

United States of America,	*	
	*	
Appellee,	*	Appeal from the United States
	*	District Court for the Eastern
v.	*	District of Missouri.
	*	
Darryl Price,	*	[UNPUBLISHED]
	*	
Appellant.	*	

Submitted: June 4, 1999

Filed: June 9, 1999

Before HANSEN, FAGG, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Darryl Price appeals the district court's denial of Price's motion for a new trial. Although Price filed his notice of appeal thirteen days after the entry of the district court's order denying his motion, we believe the record supports a finding of excusable neglect and we have jurisdiction over this appeal. See Fed. R. App. P. 4(b)(4); Fink v. Union Cent. Life Ins. Co., 65 F.3d 722, 724 (8th Cir. 1995) (defining excusable neglect). Having carefully reviewed the record and the parties' briefs, we affirm for the reasons stated in the district court's opinion. See 8th Cir. R. 47B.

A true copy.

Attest:

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