

of Fair Grove, MO; Michael Stafford, *
Aldersperson, City of Fair Grove, MO; *
Barbara Hodges, Aldersperson, City of *
Fair Grove, MO; Gail Gourley, *
Aldersperson; Sandy Cantwell, *
Aldersperson; Tom Frame, Aldersperson; *
Mel Gilbert, City Attorney and *
Prosecutor; Wayne Simpson, Chief *
of Police; Scott Forrester, Officer; *
Susan England, Officer; Christi *
Edwards, Clerk; James Booth, Former *
Mayor; Dean Helvey, Former *
Alderman; Greg Thomas, Former *
Alderman; Sandy Campbell, for *
Aldersperson and Mayor; Carl Levitt, *
Former Aldersperson; Jim Hunt, *
Former Aldersperson; Cindy Ross, *
Former Aldersperson; Ruben Campbell, *
Former Mayor; Glen Metlock, *
Former Aldersperson; Mike Metzker, *
Former Aldersperson; Mike Inman, *
Former Alderman; James Russell, *
Park Director; Joanna Russell, Park *
Director; James Russell, co- *
conspirator; Joanna Russell, co- *
conspirator; Rickey Courtios, co- *
conspirator; Harry Firmstone, co- *
conspirator; Marcella Firmstone, co- *
conspirator; David Herbert, co- *
conspirator; Angela Weber, (Hutton) *
co-conspirator; All of whom are being *
sued in their private capacities and *
in their designated official capacities as *
officers, agents, assigns, employees *
and co-conspirators of the City of Fair *

Grove, Greene County, Missouri;	*
Kathy Courtois, co-conspirator,	*
	*
Appellees,	*
-----	*
Martin W. Monteer; Cynthia Louise	*
Sleeth; Mary Laubinger,	*
	*
Appellants,	*
	*
v.	*
	*
City of Fair Grove, Greene County,	*
MO and its Officer, Agents, Assigns	*
or Employees;	*
	*
Appellees,	*
	*
Rebecca McDowell Cook, Missouri	*
Secretary of State,	*
	*
Defendant.	*

Submitted: December 7, 1999
 Filed: December 10, 1999

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

PER CURIAM.

Martin W. Monteer and Cynthia Louise Sleeth appeal the district court's¹ order dismissing their consolidated 42 U.S.C. § 1983 cases and awarding defendants attorney's fees and costs as sanctions under Federal Rule of Civil Procedure 37(b), and its orders denying postjudgment motions.² We conclude that the notice of appeal was untimely as to the underlying judgment, which we thus lack jurisdiction to review. See Fed. R. App. P. 4(a); Glinka v. Maytag Corp., 90 F.3d 72, 74 (2d Cir. 1996) (motions to reconsider order disposing of Rule 4(a)(4) time-tolling post-trial motions do not again toll running of time for appeal); Stark v. Lambert, 750 F.2d 45, 47 (8th Cir. 1984) (per curiam) (dismissing appeal for lack of jurisdiction because motion to reconsider order denying motion for new trial does not toll period for appealing underlying judgment). We further conclude that the district court did not abuse its discretion in denying postjudgment relief. See Davidson & Schaaf, Inc. v. Liberty Nat'l Fire Ins., 69 F.3d 868, 871 (8th Cir. 1995) (standard of review for denial of Fed. R. Civ. P. 59(e) motions); Sanders v. Clemco Indus., 862 F.2d 161, 169 (8th Cir. 1988) (standard of review for denial of Fed. R. Civ. P. 60(b) motions); Spinar v. S.D. Bd. of Regents, 796 F.2d 1060, 1062-63 (8th Cir. 1986) (denying motion for reconsideration that failed to set forth proper Rule 60(b) grounds for relief).

Accordingly, we dismiss the appeal for lack of jurisdiction, except that we affirm the denial of the postjudgment motions.

¹ The Honorable Joseph E. Stevens, Jr., late a United States District Judge for the Western District of Missouri.

² Mary Laubinger and Linda Kristofferson did not sign the notice of appeal, nor did an attorney sign on their behalf, so we dismiss their appeal. See Scarrella v. Midwest Fed. Sav. and Loan, 536 F.2d 1207, 1209 (8th Cir. 1976).

A true copy.

Attest:

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