



## **ST. LOUIS, MISSOURI JANUARY 9 - 13, 2023**

**Lavenski R. Smith, Chief Judge - Little Rock, Arkansas**

### **Circuit Judges in Active Service**

**James B. Loken - Minneapolis, MN  
Steven M. Colloton - Des Moines, IA  
Raymond W. Gruender - St. Louis, MO  
Duane Benton - Kansas City, MO  
Bobby E. Shepherd - El Dorado, AR  
Jane Kelly - Cedar Rapids, IA  
Ralph R. Erickson - Fargo, ND  
L. Steven Grasz - Omaha, NE  
David R. Stras - Minneapolis, MN  
Jonathan A. Kobes - Sioux Falls, SD**

### **Circuit Judges Who Have Taken Senior Status**

**Roger L. Wollman - Sioux Falls, SD  
Morris S. Arnold - Little Rock, AR  
Michael J. Melloy - Cedar Rapids, IA**

## NOTICE TO ALL COUNSEL

Please review the entire calendar, as you may have more than one case scheduled for oral argument. Please check the calendar carefully for the starting time for your day and division.

*Court will be held in the Thomas F. Eagleton Courthouse at 111 S. 10<sup>th</sup> Street, St. Louis, Missouri. Division I will be held in the Southeast Courtroom on Floor 27. Division II will be held in the Ceremonial Courtroom (3N) on Floor 3 on Tuesday, January 10, 2023, and Wednesday, January 11, 2023, and in the Southwest Courtroom on Floor 27 on Thursday, January 12, 2023. Division III will be held in the Northeast Courtroom on Floor 27. Division IV will be held in the Southwest Courtroom on Floor 27. Counsel presenting oral argument should report directly to the courtroom 45 minutes before Court convenes.*

Information regarding COVID protocols will be furnished at a later date.

Counsel may not waive oral argument without prior leave of court. Absent leave of court, only one attorney is permitted to present the argument for a party. However, if the parties on a side are separately represented and have filed separate briefs, each party on that side is permitted to argue; in such a case, counsel must confer and decide how they will split the time shown on the calendar. Questions should be addressed to the Clerk of Court.

Counsel are required to file an "Argument Response/Appearance" form with the Clerk's Office identifying the party or parties they will be representing at oral argument. If an "Appearance" form has not already been filed, the "Argument Response/Appearance" form serves as your notice of appearance in the case. Every attorney who presents oral argument must be admitted to the Eighth Circuit Bar unless the attorney has been appointed to represent a party proceeding in forma pauperis or represents the United States.

The time allotted for each side's argument is noted to the right of the case. *Cases designated as NO ARG will be submitted to the Court on the briefs and record without oral argument, and counsel are not required to appear for cases designated NO ARG.*

Michael E. Gans  
Clerk of Court

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**DIVISION I**  
**Southeast Courtroom**  
**27<sup>th</sup> Floor**

**MONDAY, JANUARY 9, 2023**  
**BEFORE JUDGES SMITH, WOLLMAN, LOKEN**

22-1243	WM	United States v. Jeremiah Brown	<b>MER</b> <b>NO ARG</b>
22-1388	MN	United States v. Deshawn Braziel	<b>NO ARG</b>
22-1619	SI	United States v. Rodney Fluckes	<b>NO ARG</b>
22-1653	EA	United States v. Lawrence Cannon	<b>NO ARG</b>
22-2059	NI	United States v. Marcus McDaniel	<b>NO ARG</b>
22-2467	MN	United States v. Antoine Killing	<b>NO ARG</b>

**DIVISION I**  
**Southeast Courtroom**  
**27<sup>th</sup> Floor**

**TUESDAY, JANUARY 10, 2023, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES SMITH, WOLLMAN, LOKEN**

				<b>MER</b>	
1.	22-1881	EA	Perry Hopman v. Union Pacific Railroad, et al.		20
2.	21-3839	WM	United States v. James Workman		15
3.	22-1895	EM	Boulevard RE Holdings v. Mixon Insurance Agency		15
	21-3136		Olga Rodriguez-De-Mejia, et al. v. Merrick B. Garland		
	22-1896		Olga Rodriguez-De-Mejia, et al. v. Merrick B. Garland	<b>NO ARG</b>	
4.	22-2388	EM	Katie Gatewood v. City of O'Fallon, Missouri, et al.		10

**WEDNESDAY, JANUARY 11, 2023, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES SMITH, WOLLMAN, LOKEN**

				<b>EDG</b>	
1.	22-1561	EM	United States v. Gerald Cardwell, Jr.		15
	22-1743	EA	Benjamin Motal v. Allstate Property & Casualty Insurance Company	<b>NO ARG</b>	
	22-1856	WA	United States v. Donald Bramlett	<b>NO ARG</b>	
2.	22-2442	SI	Shafik Wassef v. Jill Stuecker, et al.		10

**BEGINNING AT 2:00 P.M.**  
**BEFORE JUDGES SMITH, GRUENDER, STRAS**

				<b>MER</b>	
	22-1395	EA	Arkansas State Conference NAACP, et al. v. Arkansas Board of Apportionment, et al.		20

**DIVISION I**  
**Southeast Courtroom**  
**27<sup>th</sup> Floor**

**THURSDAY, JANUARY 12, 2023, BEGINNING AT 8:30 A.M.**  
**BEFORE JUDGES SMITH, WOLLMAN, LOKEN**

				<b>MER</b>
1.	22-1488	EM	Ahmad Hersh, et al. v. CKE Restaurants, et al.	15
	22-1868	WM	Brian Mertz v. James River Insurance Company	<b>REMOVED</b>
2.	22-1885	NI	Kendall Hunt Publishing v. The Learning Tree Publishing	15
	22-2399	NE	United States v. Rodrigo Rodriguez-Mendez	<b>NO ARG</b>
3.	22-1696	EM	United States v. Jonathan Wells	10
4.	22-1801	EM	United States v. Haitao Xiang	15

**FRIDAY, JANUARY 13, 2023**  
**BEFORE JUDGES SMITH, WOLLMAN, LOKEN**

				<b>MER</b>
	22-1447	NE	United States v. Isaac Johnson	<b>NO ARG</b>
	22-1580	EA	United States v. Kelli Hogue	<b>NO ARG</b>
	22-1778	WM	United States v. Gregorio Soto, Jr.	<b>NO ARG</b>
	22-2046	EA	United States v. Ryan Kinsey	<b>NO ARG</b>
	22-2186	MN	United States v. Steven Lincoln	<b>NO ARG</b>
	22-2610	SI	United States v. Adrian Weems	<b>NO ARG</b>

**DIVISION II**  
**Southeast Courtroom**  
**27<sup>th</sup> Floor**

**MONDAY, JANUARY 9, 2023**  
**BEFORE JUDGES GRUENDER, BENTON, SHEPHERD**

22-1130	SI	United States v. Jeffrey Anders	<b>MER</b> <b>NO ARG</b>
22-1654	MN	United States v. Phillip Jones, Jr.	<b>NO ARG</b>
22-1672	WA	United States v. Anthony Bruzek	<b>NO ARG</b>
22-1745	NE	United States v. Thomas Johnson, Jr.	<b>NO ARG</b>
22-1912	WM	United States v. Stephen Lundemo	<b>NO ARG</b>
22-2493	NI	United States v. James Sullivan	
22-2494	NI	United States v. James Sullivan	<b>NO ARG</b>

**DIVISION II  
Ceremonial Courtroom (3N)  
3rd Floor**

**TUESDAY, JANUARY 10, 2023, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES GRUENDER, BENTON, SHEPHERD**

				<b>AMT</b>
	21-3708	WM	Gloria Perez v. Walmart, et al.	<b>DISMISSED</b>
1.	22-2238	WM	City of Carthage, Missouri v. Union Pacific Railroad	15
2.	22-2057	EA	Courtney Bell v. Baptist Health	15
3.	22-2286	SI	George Par, et al. v. Wolfe Clinic, P.C., et al.	15

**WEDNESDAY, JANUARY 11, 2023, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES GRUENDER, BENTON, SHEPHERD**

				<b>AMT</b>
1.	22-1581	SI	United States v. Myron Brandon	20
2.	22-1699	WA	United States v. Anthony Boen	15
3.	22-2096	NI	Kristina Powell v. Minnesota Life Insurance Company, et al.	15
4.	22-1528	SI	United States v. Eric Coleman	10
5.	22-2133	NI	United States v. Joshua Brown	10

**DIVISION II**  
**Southwest Courtroom**  
**27<sup>th</sup> Floor**

**THURSDAY, JANUARY 12, 2023, BEGINNING AT 8:30 A.M.**  
**BEFORE JUDGES GRUENDER, BENTON, SHEPHERD**

				<b>EDG</b>
1.	22-1114	EM	Principal National Life Insurance Company et al. v. Donna Rothenberg	15
2.	22-1848	EM	Chris Collins, et al. v. Doe Run Resources, et al.	15
3.	22-1949	EM	Nicolas Tashman v. Advance Auto Parts	15
	22-1977	EA	Vickie Nolen v. Kilolo Kijakazi, Acting Commissioner of Social Security Administration	<b>NO ARG</b>
4.	21-3001	EA	Piper Partridge, et al. v. City of Benton, Arkansas, et al.	10
5.	22-1674	WA	Lisa Crain, et al. v. Shirley Crain	15

**FRIDAY, JANUARY 13, 2023**  
**BEFORE JUDGES GRUENDER, BENTON, SHEPHERD**

				<b>MER</b>
	22-1177	EA	United States v. Xavion Omoware	<b>NO ARG</b>
	22-1287	NI	United States v. Christopher Evans	<b>NO ARG</b>
	22-2027	WM	United States v. Mary Fugerson	<b>NO ARG</b>
	22-2195	SI	United States v. Sara Rivero	<b>NO ARG</b>
	22-2251	EM	United States v. Maricus Futrell	<b>NO ARG</b>
	22-2606	NI	United States v. Dennis Brown	
	22-2613	NI	United States v. Dennis Brown	<b>NO ARG</b>



**DIVISION III  
Northeast Courtroom  
27<sup>th</sup> Floor**

**MONDAY, JANUARY 9, 2023  
BEFORE JUDGES KELLY, ERICKSON, STRAS**

22-1227	SI	United States v. Nicholas Ford	<b>JMM NO ARG</b>
22-1317	NI	United States v. Ronald Goldberg	<b>NO ARG</b>
22-1350	SI	United States v. Catrell Green	<b>NO ARG</b>
22-1645	SI	United States v. Michael Mendoza	<b>NO ARG</b>
22-1783	EM	United States v. Franklin Clark	<b>NO ARG</b>
22-2319	SI	United States v. Kitt Colizziano	<b>NO ARG</b>

**DIVISION III  
Northeast Courtroom  
27<sup>th</sup> Floor**

**TUESDAY, JANUARY 10, 2023, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES KELLY, ERICKSON, STRAS**

				<b>JMM</b>	
1.	22-1368	SI	United States v. Jeffrey Kock		
	22-1576	SI	United States v. Jeffrey Kock		20
2.	22-1922	EA	Stacey Johnson v. Leslie Rutledge, et al.		15
3.	22-2054	EM	Darrell Bolden v. David Vandergriff		15
4.	22-2321	NE	Andrew Kelly v. Omaha Public Power District		15
	22-1934	EM	Scott Halley v. Kilolo Kijakazi, Acting Commissioner of Social Security Administration		
				<b>NO ARG</b>	

**WEDNESDAY, JANUARY 11, 2023, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES KELLY, ERICKSON, STRAS**

				<b>JMM</b>	
1.	22-1796	WM	Anastasia Wullschleger, et al. v. Royal Canin U.S.A., et al.		15
2.	22-1809	EA	Gregory Holt, et al. v. Dexter Payne, et al.		15
3.	22-1814	NE	Jane Doe, et al. v. Board of Trustees of the Nebraska State Colleges		15
	22-2126	EA	Andrew Hutchinson, et al. v. United States		<b>REMOVED</b>
	22-2272	SI	United States v. Jeremiah Lynch		<b>NO ARG</b>

**DIVISION III  
Northeast Courtroom  
27<sup>th</sup> Floor**

**THURSDAY, JANUARY 12, 2023, BEGINNING AT 8:30 A.M.  
BEFORE JUDGES KELLY, ERICKSON, STRAS**

				<b>JMM</b>	
1.	22-1444	EM	United States v. Louis Rupp, II, et al.		15
2.	22-1586	WA	United States v. Phillip Ridings		
	22-1649	WA	United States v. Jody Davis		15
3.	22-2376	WM	Nancy Avina v. Union Pacific Railroad		15
4.	22-1876	WM	Micah Riggs v. Robert Gibbs, et al.		10
5.	22-2210	SI	United States v. Gary Elliott, Sr.		15

**FRIDAY, JANUARY 13, 2023  
BEFORE JUDGES KELLY, ERICKSON, STRAS**

				<b>JMM</b>	
	21-3727	WA	United States v. Benjamin Valdez	<b>NO ARG</b>	
	22-1516	WM	United States v. James Johnson	<b>NO ARG</b>	
	22-1295	WA	United States v. Remberto Rivera	<b>NO ARG</b>	
	22-2142	EM	United States v. Demetris Slaughter	<b>NO ARG</b>	
	22-2197	MN	United States v. Jesse Peterson	<b>NO ARG</b>	
	22-2456	SI	United States v. John Abbott	<b>NO ARG</b>	

**DIVISION IV**  
**Southwest Courtroom**  
**27<sup>th</sup> Floor**

**MONDAY, JANUARY 9, 2023**  
**BEFORE JUDGES GRASZ, MELLOY, KOBES**

22-1503	EA	United States v. Deterrius Wilson	<b>MER</b> <b>NO ARG</b>
22-1570	SI	United States v. Donald Dickerson	<b>NO ARG</b>
22-1624	SI	United States v. Daniel Rios	<b>NO ARG</b>
22-1964	SI	United States v. Quanathan Ivery	<b>NO ARG</b>
22-2520	WM	United States v. Jayway Theson, Jr.	<b>NO ARG</b>
22-2576	NI	United States v. Thomas Campbell	<b>NO ARG</b>

**DIVISION IV  
Southwest Courtroom  
27<sup>th</sup> Floor**

**TUESDAY, JANUARY 10, 2023, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES GRASZ, MELLOY, KOBES**

				<b>CMH</b>
1.	22-1871	NE	Prospect Funding Holdings v. Ronald J. Palagi, P.C., et al.	15
	22-2120	WM	United States v. Juan Colbert	<b>REMOVED</b>
2.	22-2166		Aisha King v. Merrick B. Garland	15
	22-2704	NE	United States v. Katherine Woitaszewski	<b>NO ARG</b>
3.	22-1735	EM	Rasheen Aldridge v. City of St. Louis, Missouri, et al.	
	22-1910	EM	Jazmin Franks v. City of St. Louis, Missouri, et al.	
	22-2213	EM	Crystal Brown v. City of St. Louis, Missouri, et al.	15
4.	22-2329	EM	Amir Brandy v. City of St. Louis, Missouri, et al.	10

**WEDNESDAY, JANUARY 11, 2023, BEGINNING AT 8:30 A.M.  
BEFORE JUDGES GRASZ, MELLOY, KOBES**

				<b>MER</b>
1.	22-1739		Chantelle Robbertse v. Merrick B. Garland	15
2.	22-1686	SI	United States v. Kieffer Simmons	
	22-2179	SI	United States v. Terry Hambrick	20
3.	22-1726	WM	Mason Murphy v. Michael Schmitt	15
	22-2462	EA	United States v. Alonzo Beard	<b>NO ARG</b>
4.	21-3657	WA	Estate of James Earl Turner v. Vernon Morris, et al.	10
5.	22-2445	EA	Dr. Melanie Jones v. WellPath	10

**DIVISION IV**  
**Southwest Courtroom**  
**27<sup>th</sup> Floor**

**THURSDAY, JANUARY 12, 2023**  
**BEFORE JUDGES GRASZ, MELLOY, KOBES**

22-1103	WM	United States v. Edward Gleason, Jr.	<b>MER</b> <b>NO ARG</b>
22-2562	WM	United States v. Mark Perkins	<b>NO ARG</b>
22-2665	NI	United States v. Carmelo Romero	<b>NO ARG</b>

**FRIDAY, JANUARY 13, 2023**  
**BEFORE JUDGES GRASZ, MELLOY, KOBES**

22-1629	EM	United States v. Dominique Tipler	<b>MER</b> <b>NO ARG</b>
22-1641	EM	United States v. Keith Gray	<b>NO ARG</b>
22-1808	EM	United States v. Dominic Davis	<b>NO ARG</b>
22-1954	SD	United States v. Alfonso McKenzie	<b>NO ARG</b>
22-2823	EA	United States v. Christopher White, Jr.	<b>NO ARG</b>
22-2897	SD	United States v. Louis Hayes	<b>NO ARG</b>