

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 99-2771

United States of America,

Appellee,

v.

Kevin J. Morse,

Appellant.

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Appeal from the United States
District Court for the District
of Minnesota.

[UNPUBLISHED]

Submitted: March 14, 2000

Filed: April 13, 2000

Before RICHARD S. ARNOLD, and BEAM, Circuit Judges, and CONMY,¹ District Judge.

PER CURIAM.

Kevin J. Morse appeals his conviction on four counts of willfully filing a false tax return in violation of 26 U.S.C. § 7206(1). Morse presents a superfluity of contentions, including: (1) his grand jury was improperly selected; (2) the government improperly influenced the grand jury by presenting evidence of crimes perpetrated by his brother; (3) the indictment provided insufficient notice of the charges and was

¹The Honorable Patrick A. Conmy, United States District Judge for the District of North Dakota.

insufficient to establish the jurisdiction of the district court;² (4) the district court erred in denying a motion to suppress government evidence; (5) the district court erroneously admitted hearsay testimony from government witnesses; (6) the government used improper impeachment evidence against Morse's expert witness; (7) the district court erred in not dismissing the charges because the government constructively amended the indictment during trial; (8) the government made an improper closing argument; (9) the district court erred in denying his motions for judgment of acquittal and a new trial; (10) the district court erroneously calculated the base offense level for his sentence; and (11) the district court erroneously ordered restitution. After reviewing the parties' submissions and the record, we find these arguments are meritless, and we affirm the conviction and sentence.³ See 8th Cir. R. 47B.

A true copy.

Attest:

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

²The Honorable John R. Tunheim, United States District Judge for the District of Minnesota.

³We grant Morse's motion to file a reply brief out of time.