

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 01-3658

United States of America,

Appellee,

v.

Russell Edward Eggleston,

Appellant.

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

[UNPUBLISHED]

Submitted: January 4, 2002
Filed: January 16, 2002

Before BOWMAN, BRIGHT, and LOKEN, Circuit Judges.

PER CURIAM.

Russell Eggleston appeals the district court's¹ denial of his Federal Rule of Civil Procedure 60(b) motion for relief from the judgment in his criminal case. He had previously sought relief under 28 U.S.C. § 2255. Having carefully reviewed the record, we agree with the district court that Rule 60(b) applies only to civil cases, that Eggleston is again seeking section 2255 relief, and that he did not receive the requisite authorization from this court before filing a second or successive application

¹The HONORABLE DAVID S. DOTY, United States District Judge for the District of Minnesota.

for a writ of habeas corpus. See 28 U.S.C. § 2244(b)(3)(A); Vancleave v. Norris, 150 F.3d 926, 928-29 (8th Cir. 1998). Accordingly, we affirm. See 8th Cir. R. 47A(a).

A true copy.

Attest:

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