

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 04-1255

Donnell W. Durley,

Appellant,

v.

Anheuser-Busch, Inc.,

Appellee.

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* Appeal from the United States

* District Court for the Eastern

* District of Missouri.

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[UNPUBLISHED]

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Submitted: October 29, 2004

Filed: November 4, 2004

Before RILEY, McMILLIAN, and GRUENDER, Circuit Judges.

PER CURIAM.

Donnell W. Durley appeals the district court's¹ denial of his reconsideration motion following dismissal of his Title VII action. Liberally construing his reconsideration motion as a Federal Rule of Civil Procedure 60(b) motion filed more than ten days after entry of final judgment, and liberally construing his appellate briefs, we conclude the district court did not abuse its discretion in denying reconsideration. See Sanders v. Clemco Indus., 862 F.2d 161, 164-65, 169 (8th Cir. 1988) (construing reconsideration motion filed more than 10 days after entry of

¹The Honorable Carol E. Jackson, Chief Judge, United States District Court for the Eastern District of Missouri.

judgment under Rule 60(b); appeal from denial of Rule 60(b) motion does not raise underlying judgment for review, and review is for abuse of discretion).

Accordingly, we affirm. See 8th Cir. R. 47B.
