

United States Court of Appeals
For the Eighth Circuit

No. 16-1783

United States of America

Plaintiff - Appellee

State of Missouri

Intervenor Plaintiff - Appellee

v.

Benton County Sewer District No. 1 of Benton County, Missouri

Defendant - Appellee

William Seek, solely in his capacity as President and Trustee of Benton County Sewer District No. 1, also known as Ted Seek; Gerald DuVall, solely in his capacity as Vice President and Trustee of Benton County Sewer District No. 1; John Grate, solely in his capacity as Trustee of Benton County Sewer District No. 1; Joseph Gualco, solely in his capacity as Trustee of Benton County Sewer District No. 1; Stephen Tibbetts, solely in his capacity as Trustee of Benton County Sewer District No. 1

Defendants

George M. Hall

Interested party - Appellant

Appeal from United States District Court
for the Western District of Missouri - Kansas City

Submitted: January 5, 2017
Filed: February 8, 2017
[Unpublished]

Before COLLOTON, MURPHY, and GRUENDER, Circuit Judges

PER CURIAM.

George Hall appeals following the district court's¹ order granting in part an emergency motion for injunctive relief, filed jointly by the United States and the State of Missouri and joined in by Benton County Sewer District No. 1. Following careful review, we find no abuse of discretion because the record supports the district court's finding that Hall's enjoined acts were taken solely to frustrate the court-approved sale of the Benton County Sewer District's assets and ongoing operations through the court-appointed receiver. *See* 28 U.S.C. § 1651(a) (federal courts may issue all writs necessary or appropriate in aid of their respective jurisdictions); *id.* at § 2283 (federal courts may not grant injunction to stay proceedings in state court except as expressly authorized by Act of Congress, or where necessary in aid of its jurisdiction, or to protect or effectuate its judgments); *USCOC of Greater Mo., LLC v. Cty. of Franklin, Mo.*, 636 F.3d 927, 932-33 (8th Cir. 2011) (noting All Writs Act has been held to give federal courts power to implement orders they issue by compelling non-parties of action to act or by ordering them not to act); *Liles v. Del Campo*, 350 F.3d 742, 746 (8th Cir. 2003) (reviewing order enjoining related litigation for abuse of discretion).

¹The Honorable Beth Phillips, United States District Judge for the Western District of Missouri.

Further, Hall’s attempt to challenge the district court’s jurisdiction and its approval of an asset sale as contrary to an election outcome prove meritless. *See* 28 U.S.C. § 1345 (“Except as otherwise provided . . . the district courts shall have original jurisdiction of all civil actions, suits or proceedings commenced by the United States”); *United States v. Geranis*, 808 F.3d 723, 726 (8th Cir. 2015) (noting no issue was presented on ballot concerning fate of physical infrastructure of common sewer system operated by Benton County Sewer District No. 1).

Accordingly, the district court’s judgment is affirmed. *See* 8th Cir. R. 47B.
