



## **ST. LOUIS, MISSOURI JANUARY 8 - 12, 2024**

**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 En Banc Courtroom on Floor 28. Division II will be held in the Southeast Courtroom on Floor 27. Division III will be held in the Northeast Courtroom on Floor 27. Counsel presenting oral argument should report to the courtroom, 30 minutes before Court convenes.*

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  
[www.ca8.uscourts.gov](http://www.ca8.uscourts.gov)

Updated: 01/05/24

**DIVISION I  
En Banc Courtroom  
28<sup>th</sup> Floor**

**MONDAY, JANUARY 8, 2024  
BEFORE JUDGES SMITH, GRUENDER, SHEPHERD**

|         |    |   |                       |
|---------|----|---|-----------------------|
| 23-2160 | EA | United States v. Cristobal<br>Palomerez-Heredia | <b>MER<br/>NO ARG</b> |
| 23-2221 | ND | United States v. Nolan Morin                    | <b>NO ARG</b>         |
| 23-2317 | EA | United States v. James Gibson                   | <b>NO ARG</b>         |
| 23-2433 | NI | United States v. Geovany<br>Gonzalez-Gonzalez   | <b>NO ARG</b>         |
| 23-2527 | SD | United States v. Charles Nadeau                 | <b>NO ARG</b>         |
| 23-2670 | MN | United States v. Theodore Varner                | <b>NO ARG</b>         |

**DIVISION I  
En Banc Courtroom  
28<sup>th</sup> Floor**

**TUESDAY, JANUARY 9, 2024, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES SMITH, GRUENDER, SHEPHERD**

|    |         |    |  | <b>MER</b>    |
|----|---------|----|--|---------------|
| 1. | 23-1820 | WM | Anhui Powerguard Technology v.<br>DRE Health                       | 15            |
| 2. | 23-1310 | NI | Colin Henderson, et al. v. State<br>Farm Fire and Casualty Company | 15            |
| 3. | 23-1508 | EM | Cardinal Building Materials v. Amerisure<br>Insurance Company      | 15            |
|    | 23-2211 | EM | United States v. Ledra Craig                                       | <b>NO ARG</b> |
|    | 23-1212 | SI | United States v. Keith Euring, Sr.                                 | <b>NO ARG</b> |

**WEDNESDAY, JANUARY 10, 2024, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES SMITH, GRUENDER, SHEPHERD**

|    |         |    |  | <b>MER</b>    |
|----|---------|----|--|---------------|
| 1. | 22-2348 | EM | James Cody, et al. v. City of St. Louis                      | 20            |
| 2. | 22-3233 | EM | Fred Watson v. Eddie Boyd, III, et al.                       | 15            |
| 3. | 23-1807 | EA | Bradshaw Family Trust v. Twin City Fire<br>Insurance Company | 15            |
|    | 23-2176 | EM | United States v. Charles Lester, Jr.                         | <b>NO ARG</b> |
|    | 23-2333 | EA | Stevie Whitehorn v. Maverick Tube                            | <b>NO ARG</b> |

**DIVISION I  
En Banc Courtroom  
28<sup>th</sup> Floor**

**THURSDAY, JANUARY 11, 2024, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES SMITH, GRUENDER, SHEPHERD**

|    |         |    |   | <b>MER</b>    |    |
|----|---------|----|---|---------------|----|
| 1. | 22-3399 | EA | Thomas Springs v. Dexter Payne                    |               | 15 |
| 2. | 23-1375 | WM | Academy Bank, et al. v. Amguard Insurance Company |               | 15 |
| 3. | 23-1912 | NI | United States v. Kayne Donath                     |               | 15 |
| 4. | 23-2491 |    | Machele Goetz v. Victor Weber                     |               | 15 |
|    | 23-2196 | EA | United States v. Norman Thurber                   | <b>NO ARG</b> |    |
| 5. | 23-1829 | WM | United States v. Jeffery Winder                   |               | 15 |

**FRIDAY, JANUARY 12, 2024  
BEFORE JUDGES SMITH, GRUENDER, SHEPHERD**

|  |         |    |                                 | <b>MER</b>    |  |
|--|---------|----|---------------------------------|---------------|--|
|  | 23-2121 | NI | United States v. Mary Linnell   | <b>NO ARG</b> |  |
|  | 23-1615 | EA | United States v. Michael Marble | <b>NO ARG</b> |  |
|  | 23-2421 | NI | United States v. Tony Doolin    | <b>NO ARG</b> |  |
|  | 23-2839 | SI | United States v. Tyrone Cameron | <b>NO ARG</b> |  |

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

**MONDAY, JANUARY 8, 2024**  
**BEFORE JUDGES LOKEN, ARNOLD, KELLY**

|         |    |                                      |                             |
|---------|----|--------------------------------------|-----------------------------|
| 23-2116 | ND | United States v. Whitehorse Ducharme | <b>JMM</b><br><b>NO ARG</b> |
| 23-2134 | EA | United States v. Jonathan Berrier    | <b>NO ARG</b>               |
| 23-2272 | SI | United States v. Simon Chuar         | <b>NO ARG</b>               |
| 23-2352 | WM | United States v. Maurice Sayles      | <b>NO ARG</b>               |
| 23-2785 | SI | United States v. David Tumea         | <b>NO ARG</b>               |

**TUESDAY, JANUARY 9, 2024, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES LOKEN, ARNOLD, STRAS**

|    |         |    |  |               |
|----|---------|----|--|---------------|
|    |         |    | <b>JMM</b>   |               |
| 1. | 23-1040 | WA | Igor Decastro v. James Arthur, et al.                              |               |
|    | 23-1196 | WA | Igor Decastro v. James Arthur, et al.                              |               |
|    | 23-1657 | WA | James Arthur v. Igor Decastro                                      | 15            |
| 2. | 23-1902 | WM | Rockne Miller, et al. v. Elizabeth L. Ziegler, et al.              | 15            |
| 3. | 23-2182 | WM | Albert Collins, Jr. v. Kansas City Missouri Public School District | 15            |
| 4. | 23-2213 |    | Continental Cement Company v. Secretary of Labor, et al.           | 15            |
|    | 23-2289 |    | Malkeet Singh v. Merrick B. Garland                                | <b>NO ARG</b> |

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

**WEDNESDAY, JANUARY 10, 2024, BEGINNING AT 8:30 A.M.**  
**BEFORE JUDGES LOKEN, ARNOLD, KELLY**

|         |    |   |  |            |    |
|---------|----|---|--|------------|----|
|         |    |   |  | <b>JMM</b> |    |
| 21-1207 | ND | Eric Poemoceah v. Morton County, et al. |  |            | 15 |

**BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES LOKEN, KELLY, STRAS**

|    |         |    |   |               |    |
|----|---------|----|---|---------------|----|
|    |         |    |   | <b>JMM</b>    |    |
| 1. | 23-1351 | EM | Dennis Collins, et al. v. Metropolitan Life Insurance Company |               | 15 |
| 2. | 23-1547 | EM | United States v. Anthony Willis                               |               | 15 |
| 3. | 23-1650 | EM | Matthew Cartia, et al. v. Bradley Beeman, et al.              |               | 15 |
| 4. | 23-2167 | NI | Joe Cannon v. Michael Dehner, et al.                          |               | 15 |
|    | 22-2188 | EA | Nycoca Hairston v. Christine Wormuth                          | <b>NO ARG</b> |    |

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

**THURSDAY, JANUARY 11, 2024, BEGINNING AT 8:30 A.M.**  
**BEFORE JUDGES LOKEN, KELLY, STRAS**

|    |         |    |   |            |    |
|----|---------|----|---|------------|----|
|    |         |    |   | <b>JMM</b> |    |
| 1. | 23-2169 | EM | United States v. Donald Shaw                        |            | 10 |
| 2. | 22-3050 | EA | Steven Pinder v. WellPath, et al.                   |            | 15 |
| 3. | 23-1502 | SI | Raymond Black v. Swift Pork Company                 |            | 15 |
| 4. | 23-1642 | EA | Absolute Essence v. Public Consulting Group, et al. |            | 15 |
| 5. | 23-2109 | WA | Coleman Consulting v. Domtar, et al.                |            | 15 |
| 6. | 23-1603 | NI | United States v. Christian Topete                   |            | 10 |

**FRIDAY, JANUARY 12, 2024**  
**BEFORE JUDGES LOKEN, KELLY, STRAS**

|  |         |    |                                    |            |                  |
|--|---------|----|------------------------------------|------------|------------------|
|  |         |    |                                    | <b>JMM</b> |                  |
|  | 23-1558 | EA | United States v. Robert Walker     |            | <b>NO ARG</b>    |
|  | 23-2177 | WM | United States v. Garland Nelson    |            |                  |
|  | 23-2207 | WM | United States v. Garland Nelson    |            | <b>NO ARG</b>    |
|  | 23-2258 | WM | United States v. Josiah Mator, Jr. |            | <b>NO ARG</b>    |
|  | 23-1780 | SI | United States v. Marlin Thomas     |            | <b>DISMISSED</b> |



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

**MONDAY, JANUARY 8, 2024  
BEFORE JUDGES BENTON, ERICKSON, KOBES**

|         |    |                                    |                       |
|---------|----|------------------------------------|-----------------------|
| 23-2090 | NI | United States v. Lucas Floyd       | <b>MER<br/>NO ARG</b> |
| 23-2139 | NI | United States v. Garrett Kelsey    | <b>NO ARG</b>         |
| 23-2159 | EM | United States v. Hussein Khalaf    | <b>NO ARG</b>         |
| 23-2171 | WM | United States v. Timothy Smith     | <b>NO ARG</b>         |
| 23-2633 | WM | United States v. Jeremy Orr        | <b>NO ARG</b>         |
| 22-2884 | SD | United States v. George Dull Knife | <b>NO ARG</b>         |

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

**TUESDAY, JANUARY 9, 2024, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES BENTON, ERICKSON, KOBES**

|    |         |    |   | <b>HAG</b>     |
|----|---------|----|---|----------------|
| 1. | 23-1497 | WM | Heather Bratcher v. Farmer's Insurance Company            | 15             |
|    | 23-2179 | SI | United States v. Darion Thomas                            | <b>NO ARG</b>  |
| 2. | 23-1625 | EM | Sr. Kate Reid, et al. v. The Doe Run Resources, et al     | 15             |
| 3. | 23-2188 | NI | United States v. Robert Hansen                            |                |
|    | 23-2189 | NI | United States v. Robert Hansen                            | 15             |
| 4. | 23-2425 | WA | Emcasco Insurance Company, et al. v. Barry Walker, et al. | 15             |
|    | 23-2435 | WA | Cameron Mutual Insurance Company v. Jaydin Cotter, et al. | <b>REMOVED</b> |

**WEDNESDAY, JANUARY 10, 2024, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES BENTON, ERICKSON, KOBES**

|    |         |    |  | <b>CMH</b>       |
|----|---------|----|--|------------------|
| 1. | 23-1473 | EM | United States v. James Norman                                      | 20               |
|    | 23-2407 | WM | Michael Ryan v. ELN Enterprises, et al.                            |                  |
|    | 23-2443 | WM | Sandra Graham v. ELN Enterprises, et al.                           | <b>DISMISSED</b> |
| 2. | 23-2596 | EA | Pacific Life Insurance Company v. Katie Blevins                    | 15               |
| 3. | 22-3338 | SI | The Arc of Iowa, et al. v. Kimberly Reynolds, et al                | 15               |
| 4. | 23-1701 | EM | Mt. Hawley Insurance Company v. City of Richmond Heights, Missouri | 10               |

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

**THURSDAY, JANUARY 11, 2024, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES BENTON, ERICKSON, KOBES**

|    |         |    |   | <b>EDG</b>    |    |
|----|---------|----|---|---------------|----|
| 1. | 23-1134 | EM | Bader Farms v. BASF                         |               | 15 |
| 2. | 23-1786 | EM | SBFO Operator No. 3, et al. v. Onex, et al. |               | 15 |
|    | 23-2251 | EA | Oral Moore v. United States                 | <b>NO ARG</b> |    |
| 3. | 23-2624 | EM | Rachel McDonald v. St. Louis University     |               | 10 |
|    | 23-1828 | SI | United States v. Jeffrey Roads              | <b>NO ARG</b> |    |

**FRIDAY, JANUARY 12, 2024, BEGINNING AT 8:30 A.M.  
BEFORE JUDGES BENTON, ERICKSON, KOBES**

|    |         |    |                                     | <b>MER</b>    |    |
|----|---------|----|-------------------------------------|---------------|----|
| 1. | 23-1249 | SI | United States v. Cindy Ortiz        |               | 15 |
|    | 23-1505 | WM | United States v. Yacub Williams     | <b>NO ARG</b> |    |
| 2. | 23-1514 | EM | United States v. Cortez Ingram      |               | 10 |
|    | 23-2149 | SI | United States v. Ricky Williams     | <b>NO ARG</b> |    |
| 3. | 23-2173 | SI | United States v. Jonathan Arrington |               | 10 |