



## OMAHA, NEBRASKA MAY 13 - 17, 2013

William Jay Riley, Chief Judge - Omaha, Nebraska

### Circuit Judges in Active Service

Roger L. Wollman - Sioux Falls, SD  
James B. Loken - Minneapolis, MN  
Diana E. Murphy - Minneapolis, MN  
Kermit E. Bye - Fargo, ND  
Lavenski R. Smith - Little Rock, AR  
Steven M. Colloton - Des Moines, IA  
Raymond W. Gruender - St. Louis, MO  
Duane Benton - Kansas City, MO  
Bobby E. Shepherd - El Dorado, AR

### Circuit Judges Who Have Taken Senior Status

Myron H. Bright - Fargo, ND  
Pasco M. Bowman - Kansas City, MO  
C. Arlen Beam - Lincoln, NE  
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.

*The cases which are listed for argument will be heard in Omaha, Nebraska, at the Roman L. Hruska Courthouse, 111 S. 18<sup>th</sup> Plaza. Counsel presenting oral argument should report to the Court of Appeals Courtroom on the 4<sup>th</sup> Floor, at least 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 appointed to represent a party proceeding in forma pauperis.

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

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*Revised: 5/10/13*

**DIVISION I**  
**Court of Appeals Courtroom**  
**4<sup>th</sup> Floor**

**MONDAY, MAY 13, 2013**  
**BEFORE JUDGES SHEPHERD, ARNOLD, MELLOY**

12-3414NE	United States v. Bryant Roach	<b>KAS</b> <b>NO ARG</b>
12-3695NE	United States v. Latasha Dortch	<b>NO ARG</b>
12-2488NE	United States v. Leander Haggan, etc.	<b>NO ARG</b>
12-3435NE	United States v. Darrel Henry	<b>NO ARG</b>
12-3112NE	United States v. Kevin Lucas, etc.	<b>NO ARG</b>
12-4020NI	United States v. Jeremiah Wroblewski	<b>NO ARG</b>

**TUESDAY, MAY 14, 2013, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES RILEY, MELLOY, SHEPHERD**

		<b>KAS</b>	
1.	12-2143NE	Union Pacific Railroad Company v. United States Department of Homeland Security, et al.	20
2.	12-3426NE	David Roberts v. City of Omaha, etc., et al.	15
	12-3268NE	United States v. Stephen Macomber	<b>NO ARG</b>
3.	12-2790NE	Jarek Charvat, etc. v. Mutual First Federal Credit Union	
	12-2797NE	Jarek Charvat, etc., et al. v. First National Bank of Wahoo	15
4.	12-2835NE	United States v. Abdirahman Mohamed	15

**DIVISION I**  
**Court of Appeals Courtroom**  
**4<sup>th</sup> Floor**

**WEDNESDAY, MAY 15, 2013, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES RILEY, MELLOY, SHEPHERD**

1.	12-2577NE	John Montin v. Bill Gibson	<b>KAS</b>	15
2.	12-3077NE	Joseph H. Page, et al. v. Farm Credit Services of America, etc., et al.		
	12-3078NE	Brad Haun, et al. v. Farm Credit Services of America, etc., et al.		15
3.	12-3521NE	Home Instead, Inc. v. David Florance, et al.		15
4.	12-2671NE	Bonnie Kelly v. Omaha Housing Authority, etc., et al.		15
	12-3524	Bryan Gallimore v. Eric H. Holder, Jr., etc.	<b>NO ARG</b>	

**\*\*AFTERNOON SESSION\*\***

**2:00 P.M. BEFORE JUDGES RILEY, BEAM, SHEPHERD**

13-1570MN	UBS Securities LLC v. Allina Health System	<b>DISMISSED</b>
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**THURSDAY, MAY 16, 2013, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES SHEPHERD, BEAM, MELLOY**

1.	12-2696NE	Bernard Jones, et al. v. Rick McNeese, etc.	<b>KAS</b>	15
2.	12-2780NE	Securities and Exchange Commission v. Stormy Dean		15
	12-3468NE	United States v. Violeta Hinojosa, etc.	<b>NO ARG</b>	
	12-3006NE	United States v. Ardelle Dunlap, Jr.	<b>NO ARG</b>	
	12-3075NE	United States v. Albert Woods, etc.	<b>NO ARG</b>	

**DIVISION I**  
**Court of Appeals Courtroom**  
**4<sup>th</sup> Floor**

**FRIDAY, MAY 17, 2013, BEGINNING AT 8:00 A.M.**  
**BEFORE JUDGES SHEPHERD, BEAM, MELLOY**

1.	12-3080NI	United States v. Donald Washburn	<b>KAS</b>	15
2.	12-3082SI	United States v. James Arnold		15
3.	12-3134NI	United States v. Javier Amaya		15
	12-2948SI	United States v. Joey Smith	<b>NO ARG</b>	
4.	12-3436NI	United States v. Gene Jirak		10