



## OMAHA, NEBRASKA MAY 8 - 12, 2017

Lavenski R. Smith, Chief Judge - Little Rock, AR

### Circuit Judges in Active Service

Roger L. Wollman - Sioux Falls, SD  
James B. Loken - Minneapolis, MN  
William Jay Riley - Omaha, NE  
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

### Circuit Judges Who Have Taken Senior Status

Pasco M. Bowman - Kansas City, MO  
C. Arlen Beam - Lincoln, NE  
Morris S. Arnold - Little Rock, AR  
Diana E. Murphy - Minneapolis, MN  
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 Federal 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 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)

*The following visiting judge will be sitting with the court in May:*

\*The Honorable Robert F. Rossiter, Jr.  
U.S. District Judge  
Omaha, Nebraska

**DIVISION I**  
**Roman L. Hruska Federal Courthouse**  
**4<sup>th</sup> Floor**

**MONDAY, MAY 8, 2017**  
**BEFORE JUDGES RILEY, BEAM, SHEPHERD**

16-1784NE	United States v. Humberto Rivera-Moreno, etc.	<b>NO ARG</b>
16-3358NI 16-3359NI	United States v. Brandon Devos United States v. Brandon Devos	<b>NO ARG</b>
16-3390NE	United States v. Thomas Ashburn	<b>NO ARG</b>
16-3356WM	United States v. David Cartagena	<b>NO ARG</b>
16-3621NE	United States v. Robert Watkins	<b>NO ARG</b>
16-3391NI	United States v. Johnny Madison	<b>NO ARG</b>

**TUESDAY, MAY 9, 2017, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES RILEY, BEAM, \*ROSSITER**

1.	16-1037	Binyam Baltti v. Jefferson B. Sessions, III, etc.	15
2.	16-2918NI	United States v. Dante Glinn	15
3.	16-2954NI	United States v. Deon Bailey	10
4.	16-3361NI	United States v. Lisa Davis	15
	16-2008NI	United States v. Jody Davis	<b>NO ARG</b>

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**4<sup>th</sup> Floor**

**WEDNESDAY, MAY 10, 2017, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES RILEY, BEAM, SHEPHERD**

1.	16-2632NE	McShane Construction Company, LLC v. Gotham Insurance Company	20
2.	16-1935NE	Lucky Iromuanya v. Scott Frakes, etc.	15
3.	16-2650NE	West Plains, LLC, etc. v. Retzlaff Grain Company Incorporated, etc., et al.	15
4.	16-1898NE	A.W., etc., et al. v. Paul Wood, etc., et al.	15
5.	16-3100NE	Bobbette Blake v. MJ Optical, Inc., etc.	15

**THURSDAY, MAY 11, 2017, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES RILEY, BEAM, SHEPHERD**

1.	16-1949NE	City of Benkelman, Nebraska, etc. v. Baseline Engineering Corporation, etc.	15
2.	16-3410NE	United States v. Crispin Herra-Herra	15
3.	16-3076NE	Tabatha Manning v. Vaughn Cotton, etc., et al.	15
4.	16-3071NE	Sam Edwards v. Hiland Roberts Dairy, Co., et al.	
	16-3075NE	Zyeair Smith v. Hiland Roberts Dairy, Co., et al.	10
5.	16-3178NE	United States v. Melvin Dortch	15

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**4<sup>th</sup> Floor**

**FRIDAY, MAY 12, 2017, BEGINNING AT 8:30 A.M.**  
**BEFORE JUDGES RILEY, BEAM, SHEPHERD**

1.	16-3739NE	United States v. Leroy Shumaker	15
2.	16-2985NE	United States v. Emmanuel Chaplain	15
3.	16-4184NE	United States v. Juan Alatorre	10
4.	16-1788NE	United States v. Roberto Ortiz-Cervantes	15
5.	16-3545NE	United States v. Curtis Cotton	10