



**OCTOBER 15 - 19, 2012
ST. PAUL, MINNESOTA**

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
Michael J. Melloy - Cedar Rapids, IA
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**

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 Warren E. Burger Federal Building & U.S. Courthouse at 316 N. Robert Street, St. Paul, Minnesota. Counsel presenting oral argument should report to the Clerk's Office, Room 500, 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
www.ca8.uscourts.gov

Updated 10/17/12

**DIVISION I
Courtroom 5A**

**MONDAY OCTOBER 15, 2012
BEFORE JUDGES RILEY, ARNOLD, GRUENDER**

			CYZ
11-2825	SD	United States v. Earl Dowty	NO ARG
12-1073	MN	United States v. John Bartel	NO ARG
12-1104		Mzenga Wanyama, et al. v. Eric H. Holder, Jr.	NO ARG
12-1366	MN	United States v. David Cook	
12-1691	MN	United States v. David Cook	NO ARG
12-1371	SD	United States v. Aaron Young	NO ARG
12-1398	MN	Kevin Murphy, et al. v. Aurora Loan Services, et al.	NO ARG

**TUESDAY OCTOBER 16, 2012 BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, COLLOTON, GRUENDER**

			CYZ
1	12-1538	Rita Brikova v. Eric H. Holder, Jr.	15
2	12-1058	MN Luisa Chavez-Lavagnino, et al. v. Motivation Education Training, et al.	15
3	12-1638	MN Curtis Nelson, et al. v. American Home Assurance Company	15
4	12-1713	MN Harleysville Insurance Company v. Physical Distribution Services, et al.	15
5	11-3860	Juan Carcamo, et al. v. Eric H. Holder, Jr.	15

**DIVISION I
Courtroom 5A**

**WEDNESDAY OCTOBER 17, 2012 BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, COLLOTON, GRUENDER**

				CYZ
1	11-3785	NE	Diana Moctezuma, et al. v. James Wagner	
	11-3787	NE	Ronald Fink, Jr., et al. v. Rodney Herron	20
2	12-1148	MN	Oakdale Mall Associates v. Cincinnati Insurance Company	15
3	12-1319	MN	Ron Meyers v. Tom Roy, et al.	15
	12-1733	SD	Curtis Nesson v. John Lovald	NO ARG
4	11-3729	SD	United States v. Damon LaRoche	10

**THURSDAY OCTOBER 18, 2012 BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, COLLOTON, GRUENDER**

				JMB
1	12-1006	SD	United States v. Daron Jungers	
	12-1100	SD	United States v. Ronald Bonestroo	20
	12-1653	MN	United States v. Robert Dufresne, III	NO ARG
	11-3482	NE	United States v. Bryan Behrens	REMOVED
2	12-1555	ND	Thomas Cawley v. Frank Celeste, et al.	15
3	11-3702	SD	United States v. Jeffrey Grimes	15

**DIVISION I
Courtroom 5A**

**FRIDAY OCTOBER 19, 2012 BEGINNING AT 8:30 A.M.
BEFORE JUDGES RILEY, BEAM, COLLOTON**

1	11-3754	SD	United States v. Duane Big Eagle	JMB 15
2	12-1273	SD	United States v. Viengxay Chantharath	
	12-1620	SD	United States v. Patricio Guzman-Ortiz	15
3	12-1568	ND	United States v. Fraencht Banks	15
4	12-1164	ND	United States v. Scott Boyle	15
	12-1522	NI	United States v. David Neve	NO ARG

**DIVISION II
Courtroom 5B**

**MONDAY OCTOBER 15, 2012
BEFORE JUDGES LOKEN, SMITH, BENTON**

11-3165	MN	United States v. Efrain Longarica	JPP NO ARG
11-3626	SD	Janet Lundquist v. University of South Dakota Sanford School of Medicine	NO ARG
12-1146	MN	United States v. Kim Hutterer	NO ARG
12-1265	ND	United States v. Diana Gamboa	NO ARG
12-1004	MN	United States v. Ralph Frisch	NO ARG
12-1517	NE	United States v. Marcella Scharton	NO ARG

**TUESDAY OCTOBER 16, 2012 BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, SMITH, BENTON**

	12-1083	NI	Melvin Folkerts, et al. v. City of Waverly, et al.	JPP NO ARG
1	12-1216	MN	Matt Luiken, et al. v. Domino's Pizza	15
2	12-1107		Kyna La v. Eric H. Holder, Jr.	15
3	12-1211	MN	Jennifer Lenzen v. Workers Compensation Reinsurance Association	15
	11-3777	MN	Brian Farrington v. Officer Steven Smith, et al.	NO ARG
4	12-2803	MN	First-Citizens Bank & Trust, et al. v. Outsource Services Management	15

**DIVISION II
Courtroom 5B**

**WEDNESDAY OCTOBER 17, 2012 BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, SMITH, BENTON**

				JPP	
1	11-3755	NI	Deborah Campbell v. State of Iowa, Third Judicial District Department of Correctional Services, et al.		15
2	12-1262		Bogale Tegegn v. Eric H. Holder, Jr.		15
3	12-1457	MN	Shawn Slaven, et al. v. Dan Engstrom, et al.		15
4	12-1716	ND	Gale Halvorson, et al. v. Auto-Owners Insurance Company, et al.		15
	12-1524	MN	United States v. Michael Krzyzaniak	NO ARG	

**THURSDAY OCTOBER 18, 2012 BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, BEAM, SMITH**

				JPP	
	11-3511	ND	Anthony Charboneau, III v. United States	NO ARG	
1	12-1831	SD	United States v. Leo Villarreal		15
	11-1875		Carlos Quinteros v. Eric H. Holder, Jr.		
	11-3425		Carlos Quinteros v. Eric H. Holder, Jr.	NO ARG	
2	11-3523	MN	Dennis Hecker v. Randall Seaver		10
3	12-1161	NI	Van Daele Bros. v. Jeffrey Thoms		10

**DIVISION II
Courtroom 5B**

**FRIDAY OCTOBER 19, 2012 BEGINNING AT 8:30 A.M.
BEFORE JUDGES LOKEN, SMITH, BENTON**

				JPP	
1	12-2026	SI	United States v. Brandon Tyerman		15
2	11-3736	NI	United States v. Samuel Ford		15
3	11-3776	SD	United States v. William Stegmeier, et al.		15
4	12-1020	ND	United States v. Patricia Robertson		15
	12-1592	SD	United States v. Antonio Guzman	NO ARG	

**DIVISION III
Courtroom 5C**

**MONDAY OCTOBER 15, 2012
BEFORE JUDGES BYE, BEAM, SHEPHERD**

			TAB
11-3410	MN	United States v. Adonis Dorman	NO ARG
11-3428	SD	United States v. Gerald Lebeau	NO ARG
12-1111	MN	United States v. Stevon Warren	NO ARG
12-1223	MN	Ruby Clinkscale v. St. Theresa of New Hope	NO ARG
12-1241	MN	United States v. Demetrius Thomas	NO ARG
11-2959	MN	Mayo Clinic, et al. v. Peter Elkin, M.D.	NO ARG

**TUESDAY OCTOBER 16, 2012 BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, BEAM, SHEPHERD**

			TAB	
1	11-3878	MN	Alan Keiran, et al. v. Home Capital, et al.	
	12-1053	MN	Steven Sobieniak, et al. v. BAC Home Loans Servicing, et al.	25
2	12-1186	MN	Northern States Power Company v. International Brotherhood of Electrical Workers, Local 160	15
3	12-1311	NI	Pooneh Glascock v. Linn County Emergency Medicine	15
	12-1690	MN	Patrick Burke, et al. v. Bank of America, et al.	REMOVED

**DIVISION III
Courtroom 5C**

**WEDNESDAY OCTOBER 17, 2012 BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, BYE, SHEPHERD**

				TAB	
1	12-1756	MN	Douglas Milhauser v. Minco Products		15
2	11-1232	MN	United States v. Abby Cole		
	11-1513	MN	United States v. Abby Cole		15
3	12-1878	MN	Odell Crawford v. State of Minnesota		15
4	12-1940		Primitivo Alavez-Hernandez v. Eric H. Holder, Jr.		15
	11-3399	MN	United States v. Anthony Akiti	NO ARG	
5	12-1192	MN	United States v. Robert Bailey		10

**THURSDAY OCTOBER 18, 2012 BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, BYE, SHEPHERD**

				TAB	
1	11-3804	MN	Westfield Insurance Company v. Robinson Outdoors		15
2	11-3691	MN	United States v. Roger Bugh		15
3	12-1712	MN	Jenna Wood v. SatCom Marketing, et al.		15
	11-3788	MN	United States v. Robert Garcia	NO ARG	

**DIVISION III
Courtroom 5C**

**FRIDAY OCTOBER 19, 2012 BEGINNING AT 8:30 A.M.
BEFORE JUDGES MURPHY, BYE, SHEPHERD**

				TAB	
1	12-1182	NI	Thomas Morelos v. United States		10
2	12-1236	ND	United States v. Joseph Brown, Jr.		15
3	11-3636	NI	United States v. Douglas Hoffman		
	11-3778	NI	United States v. Marisol Lopez-Soto		10
4	12-1193	SD	United States v. Jerry Chasing Hawk		15
	11-3216	MN	United States v. Joseph Young	NO ARG	