



ST. PAUL, MINNESOTA OCTOBER 16 - 20, 2017

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

Circuit Judges in Active Service

**Roger L. Wollman - Sioux Falls, SD
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**

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.

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 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

The following visiting judges will sit with the court during the October session:

*The Honorable Richard W. Goldberg
Senior Judge, U.S. Court of International Trade
New York, New York

*The Honorable John R. Tunheim
Chief Judge, U.S. District Court
Minneapolis, Minnesota

**DIVISION I
Courtroom 5A**

**MONDAY, OCTOBER 16, 2017 BEGINNING AT 9:00 A.M.
BEFORE JUDGES SMITH, MURPHY, COLLOTON**

| | | | | |
|---|---------|----|---|----|
| 1 | 16-3467 | ND | Lonesome Dove Petroleum v. John Holt, et al. | |
| | 16-3611 | ND | Lonesome Dove Petroleum v. John Holt, et al. | 20 |
| 2 | 16-4069 | MN | Steven Wirtz v. Specialized Loan Servicing | 15 |
| 3 | 16-4075 | | Barbara Wigley v. Michael Wigley, et al. | 15 |
| 4 | 16-4123 | MN | Juan Berenguer v. Anoka County, et al. | 15 |
| 5 | 16-4372 | SI | Cara Williams, et al. v. Wells Fargo Bank | 15 |
| 6 | 16-4376 | SI | Charlene Eggers v. Wells Fargo Bank | 15 |

BEFORE JUDGES SMITH, GRUENDER, BENTON

| | | | | |
|--|---------|----|---|---------------|
| | 16-3742 | NI | United States v. Janis Kreitinger | NO ARG |
| | 16-3553 | | Jose Garcia-Carranza v. Loretta E. Lynch | NO ARG |
| | 16-3958 | NI | United States v. Walter Jones | NO ARG |
| | 16-3974 | NI | United States v. Kenneth Haag | NO ARG |
| | 16-3980 | ND | United States v. Levell Durr | NO ARG |
| | 17-1871 | SD | United States v. Larry Rederick | NO ARG |

**DIVISION I
Courtroom 5A**

****EN BANC SESSION****

TUESDAY, OCTOBER 17, 2017 BEGINNING AT 9:00 A.M.

**BEFORE JUDGES SMITH, WOLLMAN, LOKEN, MURPHY,
COLLTON, GRUENDER, BENTON, SHEPHERD, KELLY**

| | | | | |
|---|---------|----|--|----|
| 1 | 16-1046 | WM | Fineola Ingram, et al. v. Cole County, et al. | 20 |
| 2 | 16-1073 | SI | Jerry Faidley v. United Parcel Service of America | 20 |

**DIVISION I
Courtroom 5A**

**WEDNESDAY, OCTOBER 18, 2017 BEGINNING AT 9:00 A.M.
BEFORE JUDGES SMITH, GRUENDER, BENTON**

| | | | | |
|---|---------|----|--|------------------|
| 1 | 16-3419 | SI | Cheri Dahlin v. Lyondell Chemical Company, et al. | |
| | 16-4472 | SI | Cheri Dahlin v. Lyondell Chemical Company, et al. | 20 |
| 2 | 16-3686 | | International Alliance of Theatrical Stage Employees v. National Labor Relations Board | |
| | 16-3940 | | National Labor Relations Board v. International Alliance of Theatrical Stage Employees | 15 |
| | 16-2164 | | Daniel Onduso v. Jefferson B. Sessions, III | |
| | 17-1526 | | Daniel Onduso v. Jefferson B. Sessions, III | NO ARG |
| | 16-4345 | SD | Jeanette Luze v. Zurich American Insurance Company | DISMISSED |
| 3 | 16-4015 | MN | United Food and Commercial Workers, Local 653 v. Fresh Seasons Market, et al. | 15 |
| | 16-4305 | MN | Paul Batsche, et al. v. Thomas E. Price | NO ARG |

**BEGINNING AT 3:30 P.M.
BEFORE JUDGES COLLOTON, BEAM, BENTON**

| | | | | |
|--|---------|--|--|----|
| | 16-1571 | | Luis Garcia-Urbano v. Jefferson B. Sessions, III | 15 |
|--|---------|--|--|----|

**DIVISION I
Courtroom 5A**

**THURSDAY, OCTOBER 19, 2017 BEGINNING AT 9:00 A.M.
BEFORE JUDGES GRUENDER, BENTON, *TUNHEIM**

| | | | | |
|---|---------|----|--|---------------|
| 1 | 16-4313 | SD | Charles Sisney, et al. v. Denny Kaemingk, et al. | |
| | 16-4480 | SD | Charles Sisney v. Denny Kaemingk, et al. | 20 |
| 2 | 16-3696 | SI | MCC Iowa, et al. v. City of Iowa City, et al. | 15 |
| 3 | 16-3903 | | Jose Romero-Larin v. Jefferson B. Sessions, III | |
| | 17-1868 | | Jose Romero-Larin v. Jefferson B. Sessions, III | 15 |
| 4 | 16-4283 | SD | Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, et al. v. United States Corps of Engineers, et al. | 15 |
| 5 | 16-4275 | NI | Levi Wilson, et al. v. Scott Lamp, et al. | |
| | 16-4337 | NI | Levi Wilson, et al. v. Jessica Dorhout-VanEngen | 15 |
| | 17-1225 | SI | United States v. Randy Ford | NO ARG |

**BEGINNING AT 1:30 P.M.
BEFORE JUDGES WOLLMAN, GRUENDER, SHEPHERD**

| | | | | |
|--|---------|----|-------------------------------|----|
| | 16-2820 | SD | Gillman Long v. United States | 15 |
|--|---------|----|-------------------------------|----|

**DIVISION I
Courtroom 5A**

**FRIDAY, OCTOBER 20, 2017 BEGINNING AT 8:30 A.M.
BEFORE JUDGES LOKEN, GRUENDER, BENTON**

| | | | | |
|---|---------|----|--|----|
| 1 | 16-4519 | SI | United States v. Curlie Quarterman | 15 |
| 2 | 16-3988 | MN | United States v. Charles Pettis | 15 |
| 3 | 16-4014 | | J. Cruz Ramirez-Barajas v. Jefferson B. Sessions, III | |
| | 17-1618 | | J. Cruz Ramirez-Barajas v. Jefferson B. Sessions, III | 15 |
| 4 | 16-4503 | MN | United States v. Ronald Class | 10 |
| 5 | 17-1222 | SI | United States v. Kent Sorenson | 10 |
| 6 | 16-3832 | MN | United States v. Lee Paul | 15 |

**DIVISION II
Courtroom 5B**

**MONDAY, OCTOBER 16, 2017
BEFORE JUDGES WOLLMAN, BEAM, SHEPHERD**

| | | | |
|---------|----|---|---------------|
| 16-3547 | SD | United States v. Juan Herrera-Rodriguez | NO ARG |
| 16-3734 | NI | United States v. Manuel Sanchez-Rojas | NO ARG |
| 16-3764 | ND | United States v. Jonathon Kinney | NO ARG |
| 16-3843 | NI | United States v. Tearon Jackson | NO ARG |
| 16-3842 | MN | United States v. Raymond Smith | NO ARG |
| 16-4039 | NI | United States v. Ricky Peoples | NO ARG |

**TUESDAY, OCTOBER 17, 2017
There will be no oral arguments in Division II**

**WEDNESDAY, OCTOBER 18, 2017 BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, BEAM, SHEPHERD**

| | | | | |
|---|---------|----|---|----|
| 1 | 17-1306 | ND | Vanessa Dundon, et al. v. Kyle Kirchmeier, et al. | 20 |
| 2 | 16-3260 | SI | CeCelia Ibson v. United Healthcare Services | 15 |
| 3 | 16-3949 | NI | Charleen Corrado, et al. v. Life Investors Insurance Company of America, et al. | 15 |
| 4 | 16-3930 | SI | Dustin Burnikel v. Michael Fong, et al. | 15 |
| 5 | 16-4153 | MN | Little Otters of Love, et al. v. Kailen Rosenberg, et al. | 15 |
| 6 | 17-1053 | | Carlos Arguello-Rodriguez v. Jefferson B. Sessions, III | 10 |

**DIVISION II
Courtroom 5B**

**THURSDAY, OCTOBER 19, 2017 BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, SHEPHERD, *GOLDBERG**

| | | | | |
|---|---------|----|--|----|
| 1 | 16-1624 | NI | Tracey Kuehl, et al. v. Pamela Sellner, et al. | |
| | 16-3147 | NI | Tracey Kuehl, et al. v. Pamela Sellner, et al. | 20 |
| 2 | 16-4517 | MN | Qwinstar Corporation v. Curtis Anthony, et al. | |
| | 17-1809 | MN | Qwinstar Corporation v. Curtis Anthony, et al. | 15 |
| 3 | 16-3770 | SI | Lauren Hales v. Casey's Marketing Company | 15 |
| 4 | 16-4019 | ND | Gerald Groenewold, Ph.D. v. Robert Kelley, Ph.D., et al. | 15 |
| 5 | 16-4433 | | Jhonny Garcia-Moctezuma v. Jefferson B. Sessions, III | 15 |
| 6 | 17-1023 | MN | United States v. William Libby, Jr. | 10 |

**FRIDAY, OCTOBER 20, 2017 BEGINNING AT 8:30 A.M.
BEFORE JUDGES WOLLMAN, SHEPHERD, *GOLDBERG**

| | | | | |
|---|---------|----|--|----|
| 1 | 16-4252 | MN | United States v. Jason Claybron | 15 |
| 2 | 16-4091 | SD | United States v. James Thompson | 15 |
| 3 | 16-4308 | MN | United States v. Prentiss Crumble | 15 |
| 4 | 16-4054 | MN | United States v. Jeffrey Gardner | 15 |
| 5 | 16-4420 | MN | United States v. Mark Hammerschmidt | |
| | 16-4422 | MN | United States v. Ornella Hammerschmidt | 15 |
| 6 | 16-4465 | MN | United States v. Edgar Gonzalez | 10 |

**DIVISION III
Courtroom 5C**

**MONDAY, OCTOBER 16, 2017
BEFORE JUDGES LOKEN, MURPHY, COLLOTON**

| | | | |
|---------|----|------------------------------------|---------------|
| 16-3901 | | Hang Dinh v. Loretta E. Lynch | NO ARG |
| 16-3598 | NI | United States v. Brandon Wilson | NO ARG |
| 16-3618 | MN | United States v. Kennett McElderry | NO ARG |
| 16-3626 | NI | United States v. Jeremy Saul | NO ARG |
| 16-3745 | NI | United States v. Jermaine Harris | NO ARG |
| 16-3850 | MN | United States v. Calvin Wedington | NO ARG |

**TUESDAY, OCTOBER 17, 2017
There will be no oral arguments in Division III**

**WEDNESDAY, OCTOBER 18, 2017 BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, MURPHY, COLLOTON**

| | | | | |
|---|---------|----|--|----|
| 1 | 16-3679 | MN | Unitherm Food Systems v. Hormel Foods Corporation, et al. | |
| | 16-3872 | MN | Unitherm Food Systems v. Hormel Foods Corporation, et al. | 20 |
| 2 | 16-4186 | MN | State of North Dakota, et al. v. Nancy Lange, et al. | 15 |
| 3 | 16-4209 | SI | Skip Rogers, et al. v. Aaron King, et al. | 15 |
| 4 | 16-3454 | NE | Merwyn Levering v. United States | 15 |
| 5 | 16-4212 | | Pauline Sagoe v. Jefferson B. Sessions, III | 15 |
| 6 | 16-4457 | | Caren De Lopez v. Jefferson B. Sessions, III | 10 |

**DIVISION III
Courtroom 5C**

**THURSDAY, OCTOBER 19, 2017 BEGINNING AT 9:00 A.M.
BEFORE JUDGES LOKEN, BEAM, COLLOTON**

| | | | | |
|---|---------|----|--|----|
| 1 | 16-4485 | SI | United States v. Manuel Espinoza | |
| | 16-4486 | SI | United States v. Jose Tizoc | 20 |
| 2 | 16-4429 | MN | Walter Franklin, III v. Lucas Peterson, et al. | 15 |
| 3 | 16-4102 | MN | United States v. Sharrod Rowe | 15 |
| 4 | 16-4260 | SD | John Graham v. Darin Young | |
| | 16-4448 | SD | John Graham v. Darin Young | 15 |
| 5 | 17-1084 | MN | United States v. Elena Polukhin | 10 |
| 6 | 16-4150 | MN | United States v. Phillip Loyd | 10 |

**FRIDAY, OCTOBER 20, 2017
There will be no oral arguments in Division III**