



## **ST. LOUIS, MISSOURI SEPTEMBER 23 - 27, 2019**

**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**

**Pasco M. Bowman - Kansas City, MO  
Roger L. Wollman - Sioux Falls, SD  
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.

*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 the 28<sup>th</sup> Floor. Division II will be held in the Southeast Courtroom; Division III will be held in the Northeast Courtroom; and Division IV will be held in the Southwest Courtroom all on the 27<sup>th</sup> Floor. Counsel presenting oral argument should report to the Clerk's Office, Room 24.329, 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 "Oral 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 "Oral 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

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Updated 09/13/19

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

**MONDAY, SEPTEMBER 23, 2019  
BEFORE JUDGES SMITH, WOLLMAN, BEAM**

			<b>KAS/BW-T</b>
18-3043	NI	United States v. Gary Winters	<b>NO ARG</b>
18-3133	SI	United States v. Ezra Johnson	<b>NO ARG</b>
18-3275	NI	United States v. Ricky Thomas	<b>NO ARG</b>
18-3382	SI	United States v. Peggy Worthington	<b>NO ARG</b>
18-3312	NI	United States v. Spencer Fitzpatrick	<b>NO ARG</b>
18-2955	EA	United States v. Dennis Wright, Jr.	<b>NO ARG</b>

**TUESDAY, SEPTEMBER 24, 2019, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES SMITH, BEAM, ERICKSON**

			<b>KAS/BW-O</b>
1.	18-2850	EM Joseph Von Kaenel v. Armstrong Teasdale	15
2.	19-1068	EM Timothy Farkas v. Addition Manufacturing Technologies	15
3.	18-3682	EA Keith Cronin v. Andrew Saul, Commissioner, Social Security	15
4.	18-3651	Mario Mejia-Lopez, et al. v. William P. Barr	15
5.	18-3515	EA April Dixon v. Andrew Saul, Commissioner, Social Security	10

**BEGINNING AT 3:00 P.M.  
BEFORE JUDGES SMITH, BEAM, COLLOTON**

17-2222	WM	Ernest Johnson v. Anne Precythe, et al.	15
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**DIVISION I  
En Banc Courtroom  
28<sup>th</sup> Floor**

**WEDNESDAY, SEPTEMBER 25, 2019, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES SMITH, BEAM, ERICKSON**

				<b>CMH/BW-O</b>
1.	18-1959	WA	Walmart v. Cuker Interactive	
	18-2081	WA	Walmart v. Cuker Interactive	30
2.	19-1391	WA	Henry Law Firm v. Adel Atalla	10
	18-1314	EA	Blake Liscomb v. Henry Boyce, et al.	<b>NO ARG</b>
3.	18-2930	EM	Argonaut Great Central Insurance Company v. Lincoln County, Missouri, et al.	15
	18-3625	WA	Julia Correia v. Glenn Jones	<b>NO ARG</b>

**THURSDAY, SEPTEMBER 26, 2019, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES SMITH, WOLLMAN, ERICKSON**

				<b>KAS/HG-O</b>
1.	18-3574	EM	Sally Sanzone, et al. v. Mercy Health, et al.	15
2.	18-2494	EA	Albert Rinchuso v. Brookshire Grocery Company	15
3.	18-2863	NI	United States v. Jacquiere Burnside	15
4.	18-3016	EA	George Wise, et al. v. Department of Transportation, United States, et al.	15
5.	18-3348	EM	Christopher Lee v. Linda Sanders	10

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

**FRIDAY, SEPTEMBER 27, 2019, BEGINNING AT 8:30 A.M.  
BEFORE JUDGES SMITH, WOLLMAN, ERICKSON**

				<b>KAS/HG-O</b>
1.	18-3026	SI	United States v. Lazaar Moore	
	18-3732	SI	United States v. Angelo Johnson	20
	18-3474	SI	United States v. Kearnice Overton	NO ARG
2.	18-2975	NI	United States v. Dylan Davis	15
3.	18-3159	SI	United States v. Douglas Tran	15
4.	18-3222	NI	United States v. Darrell Smith	10
5.	18-3594	EA	United States v. Delandus McGhee	10
6.	18-1446	NI	Equal Employment Opportunity Commission v. CRST Van Expedited	20

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

**MONDAY, SEPTEMBER 23, 2019  
BEFORE JUDGES LOKEN, COLLOTON, KOBES**

			<b>MER</b>
18-2923	SI	United States v. Trevor Kunze	<b>NO ARG</b>
18-2935	SI	United States v. Roman Hellems, Jr.	<b>NO ARG</b>
18-2987	NI	United States v. Kevin Heim	<b>NO ARG</b>
18-3079	NI	United States v. Mario Harper	<b>NO ARG</b>
18-3281	WM	United States v. Randy McMullen	<b>NO ARG</b>
18-3482	SI	United States v. Bradley Petermann	<b>NO ARG</b>

**TUESDAY, SEPTEMBER 24, 2019, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES LOKEN, COLLOTON, KOBES**

			<b>MER/RS-O</b>
1.	18-2585	EM Kristin Smith v. Toyota Motor Corporation	15
2.	18-3078	EM Larry Presson v. Michael Haga, et al.	15
3.	18-3314	EA Darryl Lunon v. Kathy Botsford, et al.	15
4.	18-3450	EM Henry Hamilton v. City of Hayti, Missouri, et al.	15
5.	18-2542	WM Christopher Warren v. United States	10

**BEGINNING AT 2:00 P.M.  
BEFORE JUDGES COLLOTON, ERICKSON, STRAS**

18-3236	WA	Justin Whaley, et al. v. Jimmy Esebag, et al.	15
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**DIVISION II**  
**Southeast Courtroom**  
**27<sup>th</sup> Floor**

**WEDNESDAY, SEPTEMBER 25, 2019, BEGINNING AT 9:00 A.M.**  
**BEFORE JUDGES LOKEN, COLLOTON, KOBES**

				<b>MER/RS-O</b>
1.	18-3110	WA	International Union, et al. v. Trane U.S.	15
2.	18-3448	WM	Westchester Surplus Lines Insurance Company, et al. v. Interstate Underground Warehouse & Storage	15
3.	18-3512	EM	Jon Luer, et al. v. Michael Clinton, et al.	15
4.	18-2897	EM	Teddy Scott, et al. v. Dyno Nobel	15
5.	18-3746	EA	Angela Pemberton v. Andrew Saul, Commissioner, Social Security	10

**BEGINNING AT 2:00 P.M.**  
**BEFORE JUDGES LOKEN, COLLOTON, ERICKSON**

17-3079	WA	Mark Morris v. Sheriff Kelley Cradduck, et al.	15
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**BEGINNING AT 3:00 P.M.**  
**BEFORE JUDGES LOKEN, COLLOTON, KELLY**

19-2002	ND	In re: Grand Jury Subpoenas	20
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**DIVISION II  
Southeast Courtroom  
27<sup>th</sup> Floor**

**THURSDAY, SEPTEMBER 26, 2019, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES LOKEN, COLLOTON, KOBES**

				<b>MER</b>	
1.	18-3277	NI	United States v. Richard Parker		20
2.	18-2374	NI	United States v. Joseph Dierks		15
3.	18-2958	NI	United States v. Antonio Outlaw		15
	18-2700	NI	United States v. Kyle Leick	<b>NO ARG</b>	
4.	18-3136	NI	United States v. Christopher Jepsen		15

**BEGINNING AT 2:00 P.M.  
BEFORE JUDGES LOKEN, GRUENDER, KELLY**

18-2376	SD		Charles Rhines, et al. v. Darin Young		15
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**FRIDAY, SEPTEMBER 27, 2019, BEGINNING AT 8:30 A.M.  
BEFORE JUDGES LOKEN, COLLOTON, KOBES**

				<b>AEV</b>	
1.	18-3363	SI	United States v. Jesus Ramirez		15
2.	18-3000	SI	United States v. Samory Monds		15
3.	18-3122	NI	United States v. Christian Hansen		15
4.	19-1002	EM	United States v. Dennis Suellentrop, Jr.		15
5.	18-3342	SI	United States v. Jamin Fletcher		15



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

**MONDAY, SEPTEMBER 23, 2019  
BEFORE JUDGES GRUENDER, ARNOLD, GRASZ**

18-3006	SI	United States v. Dale Morrow, Jr.	JMM NO ARG
18-3023	SI	United States v. Edward Feeney, Jr.	NO ARG
18-3250	SI	United States v. Daniel McNabb	NO ARG
18-3317	SI	United States v. Bradd Quigley	NO ARG
18-3339	SI	United States v. Gerard Ellis	NO ARG
18-3589	NI	United States v. Tereall Green	
18-3591	NI	United States v. Javonta Herbert	NO ARG

**TUESDAY, SEPTEMBER 24, 2019, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES GRUENDER, ARNOLD, GRASZ**

			JMM	
1.	18-3059	EA	Jerri Plummer v. Rhett McSweeney, et al.	15
	19-1104		Boto Jima v. William P. Barr	NO ARG
2.	18-3695		Dolgencorp v. National Labor Relations Board	
	19-1157		Dolgencorp v. National Labor Relations Board	15
3.	18-3755	EM	Keller Farms v. Colin Stewart, et al.	15
4.	18-3472	EM	Kevin Chestnut v. Officer Dawain Wallace	15

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

**WEDNESDAY, SEPTEMBER 25, 2019, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES BENTON, SHEPHERD, GRASZ**

	18-3186	SI	David Swinton, et al. v. Adam Starke	<b>JMM REMOVED</b>
	18-1595	EM	Darnell Wilson v. Daniel Milberg, Sergeant	<b>REMOVED</b>
1.	18-2895	EM	Ross Briggs v. Hon. Charles E. Rendlen, III	10
2.	18-2537	SI	Corey Keys v. United States	15
3.	18-2908	EM	Andrew Halsey, et al. v. The Townsend Corporation of Indiana, et al.	15

**THURSDAY, SEPTEMBER 26, 2019, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES GRUENDER, BENTON, SHEPHERD**

				<b>JMM</b>
1.	18-3040	WA	United States v. Jose Garcia	10
	18-1887	WA	United States v. Kamel Lincoln	<b>NO ARG</b>
	18-3033	WA	United States v. Jose Escalante	<b>NO ARG</b>
2.	18-1851	EM	Lisa Jones v. Aetna Life Insurance Company, et al.	15
	18-3173	SI	Austin Glick v. Western Power Sports, et al.	<b>NO ARG</b>
3.	18-3076	EM	Marianist Province of the United States, et al. v. City of Kirkwood, et al.	15
4.	19-1096	EA	Diane Miller v. Hartford Life & Accident Insurance Company	10
5.	18-2662	NI	United States v. Christopher Davies	15

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

**FRIDAY, SEPTEMBER 27, 2019  
BEFORE JUDGES GRUENDER, BENTON, SHEPHERD**

18-3123	NI	United States v. Misael Lopez-Tubac	<b>JMM NO ARG</b>
18-3756	EA	Steven Hill v. C. V. Rivera, Warden	<b>NO ARG</b>
18-3182	NI	United States v. Joe Santillan	<b>NO ARG</b>
19-1753	EA	United States v. Eric Williams	<b>NO ARG</b>

**DIVISION IV  
Southwest Courtroom  
27<sup>th</sup> Floor**

**MONDAY, SEPTEMBER 23, 2019  
BEFORE JUDGES KELLY, MELLOY, STRAS**

18-3396	EM	United States v. Squacar Gray	<b>KAS/HG-T NO ARG</b>
18-3467	EM	Brandon Graham v. CIOX Health	
18-3468	EM	CIOX Health v. Lynn Henderson, et al.	<b>NO ARG</b>
18-3570	WA	United States v. Marcus Derby	<b>NO ARG</b>
18-3598	WA	United States v. Roy Ramirez	
18-3599	WA	United States v. Roy Ramirez	<b>NO ARG</b>
18-3279	EM	United States v. Arinthus Johnson	<b>NO ARG</b>
18-2052	WM	United States v. Brian Rucker	<b>DISMISSED</b>

**TUESDAY, SEPTEMBER 24, 2019, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES KELLY, MELLOY, STRAS**

18-3578	EA	Lott Johnson v. UPS Ground Freight	<b>AMT REMOVED</b>
18-3045		Bianca Rucker v. Johnny Belew	<b>NO ARG</b>
1.	18-3294	WA	Jerry Cook v. George's, Inc. 15
2.	18-2793	SI	Sahr Saidu v. City of Des Moines, Iowa, et al. 15
3.	18-3150	EM	United States v. Alden Dickerman 20

**DIVISION IV  
Southwest Courtroom  
27<sup>th</sup> Floor**

**WEDNESDAY, SEPTEMBER 25, 2019, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES KELLY, MELLOY, STRAS**

				<b>EDG</b>
1.	18-3345	EM	Latasha Davis, et al. v. Washington University in St. Louis, et al.	20
2.	18-3418	EM	Angela Noerper v. Andrew Saul, Commissioner, Social Security	10
3.	18-3707	EA	Danzel Stearns v. Inmate Services Corporation, et al.	15
4.	18-3633	WM	Robert McKeage, et al. v. Bass Pro Outdoor World, et al.	10

**THURSDAY, SEPTEMBER 26, 2019, BEGINNING AT 9:00 A.M.  
BEFORE JUDGES KELLY, MELLOY, STRAS**

				<b>JPP REMANDED</b>
	17-1406	WA	Scott Eizember v. United States	
	18-1991	WA	Sedrick Noble v. United States	
	18-1992	WA	Sedrick Noble v. United States	<b>REMANDED</b>
	17-3753	SI	Justin Eginore, et al. v. Indianola Community School District, et al.	<b>NO ARG</b>
1.	18-3315	EM	Kelly Simler, et al. v. Dubuque Paint Equipment Services, et al.	15
2.	18-2611	WM	Missouri Broadcasters Association, et al. v. Eric S. Schmitt, et al.	15
3.	19-2260	EA	Peggy Jones v. Larry Jegley, et al.	15

**DIVISION IV  
Southwest Courtroom  
27<sup>th</sup> Floor**

**FRIDAY, SEPTEMBER 27, 2019, BEGINNING AT 8:30 A.M.  
BEFORE JUDGES KELLY, MELLOY, STRAS**

				<b>CMD</b>	
1.	18-3085	WA	United States v. Oren Paris, III		20
2.	19-1221	EA	United States v. Maurice McDonald		15
3.	16-3321	EM	United States v. Danny Reed, Sr.		15
4.	18-2896	EM	United States v. Asmerom Keleta		15
5.	18-3469	EM	United States v. Melvin Harmon		10