United States Court of Appeals

For The Eighth Circuit

Thomas F. Eagleton U.S. Courthouse 111 South 10th Street, Room 24.329

St. Louis, Missouri 63102

Michael E. Gans Clerk of Court VOICE (314) 244-2400 FAX (314) 244-2780 www.ca8.uscourts.gov

August 12, 2011

Mr. James D. Leach 1617 Sheridan Lake Road Rapid City, SD 57702-0000

RE: 07-2317 Catherine G. Ratliff v. Michael J. Astrue

Dear Counsel:

The court today issued an opinion in this case. Judgment in accordance with the opinion was also entered today. The opinion will be released to the public at 10:00a.m. today. Please hold the opinion in confidence until that time.

Please review Federal Rules of Appellate Procedure and the Eighth Circuit Rules on postsubmission procedure to ensure that any contemplated filing is timely and in compliance with the rules. Note particularly that petitions for rehearing and petitions for rehearing en banc <u>must</u> be received in the clerk's office within 45 days of the date of the entry of judgment. Counsel-filed petitions must be filed electronically in CM/ECF. Paper copies are not required. No grace period for mailing is allowed, and the date of the postmark is irrelevant, for pro-se-filed petitions. Any petition for rehearing or petition for rehearing en banc which is not received within the 45 day period for filing permitted by FRAP 40 may be denied as untimely.

> Michael E. Gans Clerk of Court

CMD

Enclosure(s)

cc: Ms. Cheryl Schrempp DuPris

Mr. Joseph A. Haas Mr. William Kanter Mr. Michael E. Robinson Mr. Wayne Michael Stanley

District Court/Agency Case Number(s): 5:06-cv-05070-RHB

Appellate Case: 07-2317 Page: 1 Date Filed: 08/12/2011 Entry ID: 381745 ockets.Justia.com