

**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*

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December 19, 2011

Ms. Amy Gershenfeld Donnella  
Mr. Billy Nolas  
FEDERAL COMMUNITY DEFENDER OFFICE  
601 Walnut Street  
545W The Curtis Center  
Philadelphia, PA 19106-0000

RE: 08-1749 Arboleda Ortiz v. United States

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 post-submission 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 must 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

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Enclosure(s)

cc: Mr. Gerrard R. Beeney  
Ms. Lajuana M. Counts  
Mr. Jay D DeHardt  
Mr. James R. Dillon  
Mr. Kent E. Gipson  
Ms. Jane J. Jaang  
Ms. Maxine I. Lipeles  
Mr. Theodore McCombs  
Mr. Arboleda A. Ortiz

Mr. Harry Simon  
Mr. David M. Sollors  
Ms. Ann Thompson  
Mr. Jeffrey E. Valenti  
Mr. Michael Wiseman

District Court/Agency Case Number(s): 4:04-cv-08001-GAF