

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 08-2343

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United States of America,

Appellee,

v.

Diante L. Broadway,

Appellant.

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Appeal from the United States  
District Court for the  
Western District of Missouri.

[UNPUBLISHED]

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Submitted: August 28, 2009  
Filed: September 2, 2009

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Before BYE, BOWMAN, and BENTON, Circuit Judges.

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PER CURIAM.

Diante L. Broadway appeals the fifty-two-month sentence that the District Court<sup>1</sup> imposed after granting the government's postjudgment motion under Rule 35(b) of the Federal Rules of Criminal Procedure to reduce Broadway's sentence based on substantial assistance.

This court lacks jurisdiction to review Broadway's sentence. See United States v. Haskins, 479 F.3d 955, 957 (8th Cir. 2007) (per curiam) (dismissing appeal where

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<sup>1</sup>The Honorable Gary A. Fenner, United States District Judge for the Western District of Missouri.

court lacked jurisdiction under 18 U.S.C. § 3742(a) to review a Rule 35(b) sentence reduction). Accordingly, we grant counsel's motion to withdraw, and we dismiss for lack of jurisdiction.

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