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

November 07, 2011

Mr. Donald Cooley 155 Park Central Square Springfield, MO 65806-0000

RE: 11-1168 United States v. Clint Ball

Dear Counsel:

The court has issued an opinion in this case. Judgment has been entered in accordance with the opinion. 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 14 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 14 day period for filing permitted by FRAP 40 may be denied as untimely.

> Michael E. Gans Clerk of Court

DMS

Enclosure(s)

cc: Mr. Clint L. Ball Mr. Randall D. Eggert Mr. Timothy A. Garrison Ms. Cynthia Jean Hyde Mr. Philip M. Koppe Ms. Ann Thompson

District Court/Agency Case Number(s): 6:04-cr-03056-RED-5