

United States Court of Appeals
For The Eighth Circuit
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St. Louis, Missouri 63102

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November 08, 2012

Mr. Robert Emil Eggmann
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RE: 12-1138 Samuel J. Temperato Trust v. Jeffrey Unterreiner, et al

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

JPP

Enclosure(s)

cc: Ms. Cindy A. Harrison
Mr. J. Michael Payne
Mr. Thomas H. Riske

District Court/Agency Case Number(s): 11-6039