

United States Court of Appeals
For The Eighth Circuit
Thomas F. Eagleton U.S. Courthouse
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St. Louis, Missouri 63102

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September 10, 2013

Mr. Mark Zoole
MARK H. ZOOLE, P.C.
1200 S. Big Bend Boulevard
Saint Louis, MO 63117-0000

RE: 12-1931 Charles Mitchell v. Josh Shearrer
12-2058 Charles Mitchell v. Eric Spiker, et al.

Dear Counsel:

The court has issued an opinion in these cases. 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 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 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

LMT

Enclosure(s)

cc: Mr. John M Albright
Mr. Stephen E. Walsh
Mr. James G. Woodward

District Court/Agency Case Number(s): 4:10-cv-00819-CEJ
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