

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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April 26, 2013

Ms. Angela Lorene Pitts
FEDERAL PUBLIC DEFENDER'S OFFICE
Suite 280
3739 Steele Boulevard
Fayetteville, AR 72703

RE: 12-3028 United States v. David Nicklas

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 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

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Enclosure(s)

cc: Mr. Bruce Eddy
Mr. Conner Eldridge Jr.
Ms. Deborah Groom
Mr. Christopher R. Johnson
Ms. Wendy L. Johnson
Mr. David Eugene Nicklas
Mr. Dustin S. Roberts
Mr. John B. Schisler

District Court/Agency Case Number(s): 5:08-cr-50090-JLH-1