

United States Court of Appeals
For the Eighth Circuit

No. 12-3936

United States of America

Plaintiff - Appellee

v.

Ronnie Terrell Walters

Defendant - Appellant

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: November 5, 2013

Filed: November 13, 2013

[Unpublished]

Before LOKEN, BYE, and BENTON, Circuit Judges.

PER CURIAM.

Ronnie Terrell Walters appeals the district court's¹ order denying his motion for attorney fees and costs, which he filed after criminal charges against him were

¹The Honorable E. Richard Webber, United States District Judge for the Eastern District of Missouri.

dismissed without prejudice. Following careful review, this court concludes that the district court did not abuse its discretion in denying Walters's motion, given his failure to offer any evidence that the government's position in prosecuting him was vexatious, frivolous, or in bad faith. *See United States v. Monson*, 636 F.3d 436, 438-39 (8th Cir. 2011) (standard of review; defendant's burden of proof); *United States v. Porchay*, 533 F.3d 704, 710 (8th Cir. 2008) (evidentiary hearing is not required unless serious factual disputes surround application for attorney fees).

The judgment of the district court is affirmed. *See* 8th Cir. R. 47B.
