

United States Court of Appeals
For the Eighth Circuit

No. 13-2701

United States of America

Plaintiff - Appellee

v.

2004 Chevrolet Monte Carlo, VIN# 2G1WW12E349209700

Defendant

Joey Antwan Smith

Claimant - Appellant

Appeal from United States District Court
for the Southern District of Iowa - Des Moines

Submitted: June 25, 2014

Filed: July 1, 2014

[Unpublished]

Before GRUENDER, BOWMAN, and SHEPHERD, Circuit Judges.

PER CURIAM.

In this civil forfeiture action, Joey Smith appeals the district court's¹ denial of his Federal Rule of Civil Procedure 60(b)(6) motion for relief from the judgment. Upon careful review of the record and the parties' arguments on appeal, we conclude that Smith did not present a valid basis for post-judgment relief, and that the district court did not abuse its discretion in denying his post-judgment motion. See Murphy v. Mo. Dep't of Corr., 506 F.3d 1111, 1117 (8th Cir. 2007) (district court's denial of Rule 60(b)(6) motion is reviewed for abuse of discretion); see also Arnold v. Wood, 238 F.3d 992, 998 (8th Cir. 2001) (because Rule 60(b) motion cannot substitute for appeal, appeal from denial of Rule 60(b) motion does not present underlying judgment for appellate review; Rule 60(b) is not vehicle for simple reargument on merits); Ivy v. Kimbrough, 115 F.3d 550, 552 (8th Cir. 1997) (attorney's ignorance or carelessness does not constitute excusable neglect).

Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable Robert W. Pratt, United States District Judge for the Southern District of Iowa.