

United States Court of Appeals  
For the Eighth Circuit

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No. 14-3492

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United States of America

*Plaintiff - Appellee*

v.

James Lee Flowers, III

*Defendant - Appellant*

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Appeal from United States District Court  
for the Eastern District of Arkansas - Little Rock

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Submitted: June 5, 2015

Filed: June 22, 2015

[Unpublished]

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Before SMITH, BOWMAN, and COLLOTON, Circuit Judges.

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PER CURIAM.

James Flowers appeals from the judgment of the District Court<sup>1</sup> denying his 28 U.S.C. § 2255 motion after an evidentiary hearing. The District Court granted

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<sup>1</sup>The Honorable James M. Moody, Jr., United States District Judge for the Eastern District of Arkansas.

Flowers a certificate of appealability on his claim that his counsel was ineffective for failing to file a direct appeal as requested. After de novo review of Flowers's ineffective-assistance claim, according deference to the District Court's credibility findings, we conclude that the court did not clearly err in finding that Flowers did not ask his attorney to file an appeal. See Walking Eagle v. United States, 742 F.3d 1079, 1082 (8th Cir. 2014). Accordingly, we affirm.

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