

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 18-1344

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Bennett-Charles Formanack

*Plaintiff - Appellant*

v.

Stillwater Towing Inc.; Richard J. Ritzer; Michelle Ritzer; Kevin Last Name Unknown

*Defendants - Appellees*

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Appeal from United States District Court  
for the District of Minnesota - Minneapolis

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Submitted: October 17, 2018

Filed: October 24, 2018

[Unpublished]

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Before LOKEN, BENTON, and SHEPHERD, Circuit Judges.

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PER CURIAM.

In this diversity action, Bennett-Charles Formanack seeks to appeal after the district court<sup>1</sup> dismissed his complaint for lack of subject-matter jurisdiction, and

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<sup>1</sup>The Honorable Paul A. Magnuson, United States District Judge for the District of Minnesota.

denied his postjudgment motions. After careful review, we dismiss the appeal for lack of appellate jurisdiction, because Formanack's notice of appeal did not designate the order, judgment, or part thereof that he was appealing. See Fed. R. App. P. 3(c)(1)(B) (notice of appeal must designate judgment, order, or part thereof being appealed); Smith v. Barry, 502 U.S. 244, 248 (1992) (Rule 3 requirements are jurisdictional). We also deny as moot Formanack's pending motion to suppress.

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