

United States Court of Appeals
For the Eighth Circuit

No. 20-3735

Duane J. Gonder

Plaintiff - Appellant

v.

Dexter Payne, Director, Arkansas Division of Correction (originally named as
Wendy Kelley)

Defendant - Appellee

No. 21-1056

Duane J. Gonder

Plaintiff - Appellant

v.

Dexter Payne, Director, Arkansas Division of Correction (originally named as
Wendy Kelley)

Defendant - Appellee

Appeals from United States District Court
for the Eastern District of Arkansas - Pine Bluff

Submitted: November 23, 2021
Filed: November 30, 2021
[Unpublished]

Before GRUENDER, SHEPHERD, and KOBES, Circuit Judges.

PER CURIAM.

In these consolidated matters, Duane Gonder appeals after the district court¹ denied his post-judgment motions in his 28 U.S.C. § 2254 proceeding and granted a certificate of appealability.

After careful review of the record and the parties' arguments on appeal, we conclude that the district court did not abuse its discretion when it denied Gonder's post-judgment motions based on a lack of prejudice. *See Raymond v. United States*, 933 F.3d 988, 991 (8th Cir. 2019) (reviewing the denial of a motion under Federal Rule of Civil Procedure 60(b) for an abuse of discretion; observing that a good claim or defense is a precondition to relief).

Accordingly, we affirm. *See* 8th Cir. R. 47B. We also deny Gonder's pending pro se motion to "preserve the effectiveness of the judgment."

¹The Honorable D.P. Marshall, Jr., Chief Judge, United States District Court for the Eastern District of Arkansas.