

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JAMES J. HAMILTON, )  
Plaintiff, )  
vs. ) Case No. 4:14-CV-766 (CEJ)  
BROC GREMMINGER, et al., )  
Defendants. )

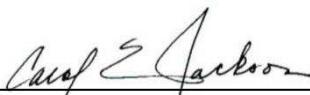
**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff's motion for an extension of time to file his notice of appeal [Doc. # 193]. The Court entered final judgment in this case on May 25, 2017, following a jury trial. Plaintiff filed the instant motion on June 19, 2017.

Federal Rule of Appellate Procedure 4(a)(4) states that a timely motion under Federal Rules of Civil Procedure 50(b), 52(b), 59, or 60, tolls the "time to file an appeal" until "the entry of the order disposing of the last such remaining motion." Fed. R. App. P. 4(a)(4); *see United States v. Duke*, 50 F.3d 571 (8th Cir. 1995). Plaintiff has filed motions under these rules, which are currently pending. Therefore, the thirty-day period for filing a notice of appeal has not started running. Also, plaintiff has not demonstrated "excusable neglect or good cause" for an extension at this time. Fed. R. App. P. 4(a)(5)(A)(ii).

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for extension of time [#193] is **denied**.

  
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CAROL E. JACKSON  
UNITED STATES DISTRICT JUDGE

Dated this 29th day of June, 2017.