



(Filing No. [11](#) at CM/ECF p. 2.) These statements do not demonstrate that Petitioner's failure to file a timely notice of appeal is for good cause or as a result of excusable neglect.

IT IS THEREFORE ORDERED that:

1. For the reasons set forth in the court's January 19, 2012, Memorandum and Order, Petitioner's Notice of Appeal is untimely. For the reasons set forth in this Memorandum and Order, Petitioner has not shown excusable neglect or good cause for failing to file a timely notice of appeal;
2. The Clerk of the court shall not process the appeal to the Court of Appeals; and
3. The Clerk of the court shall send a copy of this Memorandum and Order to the Clerk of the Eighth Circuit Court of Appeals.

DATED this 9<sup>th</sup> day of March, 2012.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge

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