

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 08-1941

Glenn R. Waite,

Appellant,

v.

James A. Snowden,

Appellee.

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* Appeal from the United States
* District Court for the
* District of Nebraska.

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* [UNPUBLISHED]

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Submitted: May 5, 2009

Filed: May 6, 2009

Before RILEY, SMITH, and BENTON, Circuit Judges.

PER CURIAM.

In this 42 U.S.C. § 1983 action, Glenn Waite appeals from the district court's¹ denial of his Fed. R. Civ. P. 60(b) motion, in which he sought relief from the June 1995 judgment in this case. We hold that the district court did not abuse its discretion in denying Waite's Rule 60(b) motion, because his arguments were meritless and provided no new evidence or exceptional circumstances warranting relief from the 1995 judgment. *See Arnold v. Wood*, 238 F.3d 992, 998 (8th Cir. 2001) (standard of review; upholding denial of Rule 60(b) motion where motion largely reasserted

¹The Honorable Richard G. Kopf, United States District Judge for the District of Nebraska.

contentions made in earlier motions and failed to demonstrate exceptional circumstances warranting post-judgment relief). We also decline to impose sanctions against Waite. *See Alternative Sys. Concepts, Inc. v. Synopsys, Inc.*, 374 F.3d 23, 37 (1st Cir. 2004) (as matter of discretion, courts may decline to impose sanctions). Accordingly, we affirm. *See* 8th Cir. R. 47B.
