

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

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No. 07-3799

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Khalifah Abd-Al Muhaymin Faruq, \*

Appellant, \*

v. \*

Sgt. Benjamin Little, Siloam Springs  
Police Department; James Hodges,  
Siloam Springs Police Department;  
Randy Williams, Concorn, Oklahoma  
on behalf of Williams Trucking on  
behalf of A&W Trucking; Norman F.  
Muelleman, Jr., Springdale Police  
Department; Beth Echols, Deputy  
Prosecuting Attorney, Benton County,  
Arkansas; Robert Balfe; Brenda  
Deshields; Lynette Gahnish; Sandy  
Lutjen; Robin Green; Brandon Carter;  
B.R. Austin; Siloam Springs,  
Arkansas, City of; Siloam Springs  
Police Department; Sgt. Moss,

Appellees. \*

\* Appeal from the United States  
\* District Court for the  
\* Western District of Arkansas.

\* [UNPUBLISHED]

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Submitted: December 29, 2008

Filed: January 8, 2009

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Before WOLLMAN, SMITH, and GRUENDER, Circuit Judges.

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PER CURIAM.

Khalifah Faruq appeals following the district court's<sup>1</sup> dismissal of his 42 U.S.C. § 1983 action, and the denial of his motion for relief from judgment. He has filed a motion for appointment of counsel and a motion to remand the case.

After de novo review, see Moore v. Sims, 200 F.3d 1170, 1171 (8th Cir. 2000) (per curiam), we conclude that dismissal was proper. We further conclude that the district court did not abuse its discretion in denying Faruq's motion for relief from judgment. See Arnold v. Wood, 238 F.3d 992, 998 (8th Cir. 2001) (standard of review; upholding denial of plaintiff's Fed. R. Civ. P. 60(b) motion where motion largely reasserted contentions made in earlier motions and failed to demonstrate exceptional circumstances warranting post-judgment relief).

Accordingly, we affirm, see 8th Cir. R. 47B, and we deny Faruq's pending motions.

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<sup>1</sup>The Honorable Jimm Larry Hendren, Chief Judge, United States District Court for the Western District of Arkansas, adopting the report and recommendations of the Honorable Beverly Stites Jones, United States Magistrate Judge for the Western District of Arkansas, now retired.