

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

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No. 10-1912

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Billy Batemon,

Appellant,

v.

Pine Bluff Police Department; David  
Vilches, Personally and in his Official  
Capacity as Detective of Pine Bluff  
Police Department, Sharon Reed,  
Personally and in her Official Capacity  
as Detective of Pine Bluff Police  
Department,

Appellees.

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

\* **[UNPUBLISHED]** \*

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Submitted: September 10, 2010  
Filed: September 17, 2010

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Before LOKEN, MURPHY, and BENTON, Circuit Judges.

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PER CURIAM.

In this 42 U.S.C. § 1983 action, Billy Batemon appeals the district court's<sup>1</sup> dismissal of his complaint under Federal Rule of Civil Procedure 12(b)(6). After

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<sup>1</sup>The HONORABLE SUSAN WEBBER WRIGHT, United States District Judge for the Eastern District of Arkansas.

careful de novo review, see Schaaf v. Residential Funding Corp., 517 F.3d 544, 549 (8th Cir. 2008), we agree with the district court that Batemon's complaint was filed outside the applicable limitations period and that he presented no basis for equitable tolling. His remaining arguments are not properly before us or lack merit. Accordingly, we affirm. See 8th Cir. R. 47B.

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