

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-10483

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

REAL PROPERTY KNOWN AS 1700 DUNCANVILLE ROAD, DUNCANVILLE, TEXAS,  
INCLUDING ALL BUILDINGS, APPURTENANCES, AND IMPROVEMENTS THEREON;  
ET. AL.,

Defendants,

SAM SBINI; LISA SCHRANK

Claimants-Appellants.

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Appeals from the United States District Court  
for the Northern District of Texas  
(3:99-CV-0996-T)

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February 12, 2001

Before WIENER, BARKSDALE, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

In this civil forfeiture action, Claimants-Appellants Sam Sbini and Lisa Schrank appeal the district court's grant of the

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\*Pursuant to 5<sup>th</sup> Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

motion of Plaintiff-Appellee (the government) for summary judgment. Claimants-Appellants contend that (1) the property was not "involved in" a money laundering transaction (in violation of 18 U.S.C. § 1957) as required by the applicable forfeiture statute (18 U.S.C. § 981(a)(1)(A)), (2) the forfeiture constitutes an excessive fine under the Eighth Amendment, and (3) the burden of proof applied by the district court pursuant to 18 U.S.C. § 981 violates the Fifth Amendment's prohibition against the loss of property without due process of law. Having carefully and fully considered the record and the arguments and briefs of counsel as well as the opinion of the district court, we are satisfied that summary judgment was properly granted, and we affirm the judgment of the district court for essentially the same reasons set forth in its comprehensive opinion.

AFFIRMED.