

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-50470
Summary Calendar

UNITED STATES OF AMERICA,

Petitioner-Appellee,

versus

REAL PROPERTY LOCATED AT 2801 DOUG FORD,
EL PASO, TEXAS WITH ALL APPURTENANCES
AND IMPROVEMENTS THEREON,

Respondent,

JOSE LUIS SAMANIEGO,

Claimant-Appellant.

Appeal from the United States District Court for
the Western District of Texas
(USDC No. EP-99-CV-246)

January 23, 2001

Before REAVLEY, DeMOSS and BENAVIDES, Circuit Judges.

PER CURIAM:*

*Pursuant to 5TH 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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

Claimant-appellant Jose Luis Samaniego appeals the district court's order entering summary judgment for the United States of America in this forfeiture suit. Samaniego argues that the district court erred in refusing to apply the "substantial connection" test to forfeitures under 21 U.S.C. § 881(a)(7). Samaniego admitted that the property was used in commission of the drug offense. Whether we look for a substantial connection or a facilitation between the property and the offense, the property was subject to forfeiture as the district court ruled.

Affirmed.