

FILED

September 20, 2004

Charles R. Fulbruge III
Clerk

In the
United States Court of Appeals
for the Fifth Circuit

No. 03-51172
Summary Calendar

IN THE MATTER OF:
GILBERT CORTEZ,

Debtor.

GILBERT CORTEZ,

Appellant-Cross-Appellee,

VERSUS

BANK OF AMERICA, N.A.; BA MORTGAGE LLC;
BARRETT BURKE WILSON CASTLE DAFFIN & FRAPPIER, LLP,

Appellees,

DAVID BLAKELY,

Appellee-Cross-Appellant.

Appeals from the United States District Court
for the Western District of Texas
m A-03-CV-261-SS

Before DAVIS, SMITH, and DENNIS,
Circuit Judges.

PER CURIAM:*

In this adversary bankruptcy proceeding, the debtor, Gilbert Cortez, appeals the district court's affirmance of the bankruptcy court's order finding that Cortez received sufficient notice, under the law, before his house was foreclosed on. The bankruptcy court also found that there was no fraud or misrepresentation by the law firm that conducted the sale. David Blakely, who purchased the property at foreclosure, cross-appeals the bankruptcy court's refusal to grant him rent and attorney's fees.

We have carefully reviewed the briefs, the applicable law, and the record. There is no reversible error. We affirm, essentially for the reasons set forth by the bankruptcy court in its thorough Memorandum Opinion entered on February 4, 2003.

AFFIRMED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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