

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-50044
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

REAL PROPERTY LOCATED AT 1258
HIGUERA ROAD, SAN ELIZARIO, TEXAS
WITH ALL APPURTENANCES AND
IMPROVEMENTS THEREON,

Defendant,

BENJAMIN CHAGOYAN, ET AL.,

Claimants,

LILIA MENDOZA,

Claimant-Appellant.

Appeal from the United States District Court for the
Western District of Texas
USDC No. EP-94-CV-386

August 27, 1996
Before GARWOOD, JOLLY, and DENNIS, Circuit Judges.

PER CURIAM:*

*Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Lilia Mendoza appeals the district court's denial of her Fed. R. Civ. P. 60(b) motion to vacate a default judgment in a forfeiture proceeding pursuant to 21 U.S.C. § 881. Mendoza argues that her motion should have been granted because she is uneducated, her retained attorney filed an inadequate response to the complaint for forfeiture and then withdrew from the case, the forfeiture complaint failed to address the subdivision of the real property named in the complaint, and the order of forfeiture violates principles of double jeopardy. Having reviewed the record, we find that the district court did not abuse its discretion by denying Mendoza's motion to vacate the default judgment. See U.S. v. One 1978 Piper Navajo PA-31 Aircraft, 748 F.2d 316, 317 (5th Cir. 1984).

A F F I R M E D.