

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-41269

In the Matter of: DANIS R. TUCKER, d/b/a
Ralph's Foods Company,

Debtor,

* * * * *

TYLER TUCKER,

Appellant,

VERSUS

MICHAEL BOUDLOCHE,

Appellee,

* * * * *

In the Matter of: DANIS R. TUCKER, d/b/a
Ralph's Foods Company,

Debtor,

* * * * *

HELEN TUCKER, TYLER TUCKER, NEVADA SPICE DISTRIBUTING
CORPORATION,

Appellants,

v.

MARY ALICE GARAY, MICHAEL BOUDLOCHE, Trustee,

Appellees.

Appeal from the United States District Court
for the Southern District of Texas
(C-97-CV-306)

March 3, 2000

Before DAVIS, HALL* and SMITH, Circuit Judges.

PER CURIAM:**

After considering the record, the briefs and argument of counsel, we are persuaded 11 U.S.C. § 363(m) controls this appeal and that it is moot. The only ruling appellants sought in the bankruptcy court and the district court was a determination that they owned the vehicles in question. Because the vehicles have been sold at public auction to a good faith purchaser, we are unable to grant that relief. The appellant did not seek any other remedies in the bankruptcy court or the district court and we will not consider arguments made for the first time on appeal.

AFFIRMED.

*Circuit Judge of the Ninth Circuit, sitting by designation.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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