

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-31016
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

BRYANT WASHINGTON, SR.,

Defendant-Appellant.

Appeal from the United States District Court for the
Eastern District of Louisiana
(95-CR-58)

August 29, 1996

Before HIGGINBOTHAM, WIENER, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Bryant Washington, Sr., appeals his sentence following his guilty-plea conviction to conspiracy to distribute cocaine base and possession of cocaine base with intent to distribute. He argues that the seizure of his property after his criminal

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

conviction constitutes a violation of the Double Jeopardy Clause. Washington's property was forfeited pursuant to 21 U.S.C. § 853 and as a result of the criminal proceeding that also resulted in his conviction. The Double Jeopardy Clause did not preclude the Government from seeking the full range of statutorily authorized criminal penalties in the same proceeding because the total punishment did not exceed that authorized by law. *United States v. Halper*, 490 U.S. 435, 450 (1989).

AFFIRMED.