

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-50040

Summary Calendar

THOMAS VARKONYI d/b/a
METAL RECYCLING COMPANY and
UNIQUE PRODUCTS INTERNATIONAL,

Appellant,

versus

ANDREW B. KRAFSUR, Chapter 7 Trustee,

Appellee.

Appeal from the United States District Court
for the Western District of Texas
(CA-EP-92-190)

May 15, 1996

Before HIGGINBOTHAM, DUHE', and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Andrew Krafzur filed this suit as Chapter 7 trustee against Thomas Varkonyi, d/b/a Metal Recycling Company and Unique Products International, the Chapter 7 debtor, seeking a denial of Varkonyi's discharge pursuant to 11 U.S.C. § 727(a), which allows for denial of a debtor's discharge if the debtor has committed fraud on the

*Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

bankruptcy court. Krafzur alleged that Varkonyi committed such fraud three months after filing for bankruptcy when he attempted to collect theft insurance proceeds by falsely reporting his Lincoln Mark VII as stolen.¹ The bankruptcy court entered its final order denying Varkonyi's discharge in May 1992, and the district court affirmed in December 1994. Varkonyi now appeals.

Varkonyi raises various arguments in urging that the district court erred by not reversing the decision of the bankruptcy court. He contends that the bankruptcy court adjudicated issues barred by collateral estoppel and res judicata, and that it conducted its proceedings unfairly. He also argues that the bankruptcy court erred in overruling his objection to a conflict of interest that allegedly arose because Krafzur's law firm routinely represents Allstate Insurance Company, which had provided the theft insurance for Varkonyi's Lincoln Mark VII. We have reviewed the record and the memoranda of the lower courts and find no reversible error.

AFFIRMED.

¹The Texas Department of Public Safety arrested Varkonyi when he accepted payment for the stolen car because it had information that Varkonyi himself had disassembled it. Varkonyi was eventually acquitted of criminal insurance fraud.