

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-20049
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellant,

versus

JOSEPH ALVIN ANDERSON,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-90-108-S
- - - - -

June 25, 1996

Before DAVIS, BARKSDALE and DeMOSS, Circuit Judges.

PER CURIAM:*

Joseph Alvin Anderson, #52456-079, appeals from the district court's order denying his motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. He argues his criminal prosecution following the administrative forfeiture of his gun collection of 111 guns violated the Fifth Amendment prohibition against double jeopardy. We have reviewed the record and the briefs of the parties and perceive no reversible error.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Jeopardy did not attach because Anderson was not a party to the administrative forfeiture. See United States v. Arreola-Ramos, 60 F.3d 188, 192 (5th Cir. 1995). We affirm on the basis of the reasons stated by the district court.

AFFIRMED.