

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-60445
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

\$536,039.00 IN U.S. CURRENCY,

Defendant,

- - - - -
MANLEY CARGILL,

Claimant-Appellant.

- - - - -
Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 1:90CV226GR
- - - - -

May 7, 1998

Before JOLLY, BENAVIDES, and PARKER, Circuit Judges.

PER CURIAM:*

Manley W. Cargill, federal inmate #41436-004 appeals the district court's denial of his Fed. R. Civ. P. 60(b) motion to set aside a default judgment in an action for forfeiture in rem. This court reviews a district court's decision denying such relief for

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

abuse of discretion. Matter of Dierschke, 975 F.2d 181, 183 (5th Cir. 1992). Because Cargill has failed to establish standing to challenge the forfeiture of the currency, the district court did not abuse its discretion in denying his motion to set aside the default judgment. See United States v. \$321,470 U.S. Currency, 874 F.2d 298, 303 (5th Cir. 1989).

AFFIRMED.