

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-10457  
Conference Calendar

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BENJAMIN A. POTTS,

Plaintiff-Appellant,

versus

\$161,532 IN U.S. CURRENCY  
(161091); \$80,190 IN U.S.  
CURRENCY(161092),

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:95-MC-039-Y

- - - - -  
April 10, 1998

Before JOLLY, JONES, and DUHÉ, Circuit Judges.

PER CURIAM:\*

Benjamin A. Potts, federal prisoner # 17034-077, appeals from the district court's order granting the defendant's motion for summary judgment and denying Potts' motion for summary judgment.

We have reviewed the record and the briefs of the parties and affirm the district court's order granting the defendant's motion for summary judgment based on Potts' failure to show that he has standing to sue.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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AFFIRMED.