

September 11, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-31114
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

SALAM, INC., ET AL.,

Defendants,

TRAVELERS EXPRESS COMPANY, INC.,

Claimant-Appellant.

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 00-CR-295-L

Before SMITH, DeMOSS, and STEWART, Circuit Judges.

PER CURIAM:*

Travelers Express Company, Inc. (Travelers), appeals the district court's dismissal, for lack of standing, of its third-party claim to funds seized in a criminal forfeiture. The district court dismissed the claim on the Government's motion after discovery revealed that Travelers had been paid in full by the defendants on its claim and had assigned its rights to the funds in

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the seized bank accounts to the defendants. The defendants agreed to forfeiture of the seized funds in their plea agreements.

The record supports a determination that Travelers no longer has a facially colorable interest in the proceedings sufficient to satisfy the case-or-controversy requirement and the prudential considerations that guide the federal courts' exercise of jurisdiction. See United States v. \$321,470 in U.S. Currency, 874 F.2d 298, 302 (5th Cir. 1989). Accordingly, the district court did not err in dismissing the claim with prejudice for lack of standing.

AFFIRMED.