

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 06-2652

United States of America,

Appellee,

v.

Antonio Triplett,

Appellant.

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* Appeal from the United States

* District Court for the Western

* District of Arkansas.

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* [UNPUBLISHED]

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Submitted: June 8, 2007

Filed: July 23, 2007

Before COLLOTON, BEAM, and BENTON, Circuit Judges.

PER CURIAM.

Antonio Triplett appeals the district court's¹ order denying his motion for return of seized property under Federal Rule of Criminal Procedure 41(g). Because Triplett's property was seized in September 2000, his action was subject to the provisions of the Civil Asset Forfeiture Reform Act of 2000 (CAFRA), Pub. L. No. 106-185, 114 Stat. 202, codified in part at 18 U.S.C. § 983, which applies to forfeiture actions initiated after August 23, 2000. *See Mesa Valderrama v. United States*, 417 F.3d 1189, 1195 (11th Cir. 2005). Under CAFRA, a person who does not receive

¹The Honorable Robert T. Dawson, United States District Judge for the Western District of Arkansas.

notice in a nonjudicial civil forfeiture may move to set aside the forfeiture, but such motion must be filed within 5 years after the date of final publication of the seizure notice, and is the exclusive remedy to set aside a declaration of forfeiture. *See* 18 U.S.C. § 983(e). Triplett's action, filed more than 5 years after the date of final publication in the *Wall Street Journal* on November 20, 2000, is time-barred. *See* 18 U.S.C. § 983(e)(3). Accordingly, we affirm.
