

MAR 15 2011

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff - Appellee,</p> <p>JOSEPH HALL,</p> <p>Defendant - Appellant.</p>

No. 10-10211

D.C. No. 2:06-cr-00310-HDM

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Peggy A. Leen, Magistrate Judge, Presiding**

Submitted March 8, 2011***

Before: FARRIS, LEAVY, and BYBEE, Circuit Judges.

Joseph Hall appeals pro se from the district court’s order denying his Federal Rule of Criminal Procedure section 41(e) motion for the return of seized currency.

We have jurisdiction under 28 U.S.C. § 1291, and we affirm.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The parties consented to proceed before a magistrate judge.

*** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Hall contends that the government failed to comply with the due process notice requirement because it failed to ensure that he was personally served with the notice of the pending forfeiture proceedings. The record reflects that, by delivering a certified-mail notice of pending administrative forfeiture proceedings addressed to Hall at the detention center where he was incarcerated and receiving a receipt confirming delivery, the government complied with the due process notice requirements for property seizure. *See Dusenbery v. United States*, 534 U.S. 161, 168-71 (2002).

AFFIRMED.