

DEC 22 2011

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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NOT FOR PUBLICATION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>v.</p> <p>JACKSON BRYANT BAUGUS,</p> <p>Defendant - Appellant.</p>

No. 10-30215

D.C. No. 1:02-cr-00133-SEH

MEMORANDUM*

Appeal from the United States District Court
for the District of Montana
Sam E. Haddon, District Judge, Presiding

Submitted December 19, 2011**

Before: GOODWIN, WALLACE, and McKEOWN, Circuit Judges.

Jackson Bryant Baugus appeals pro se from the district court’s denial of his motion for return of property. 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 panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. Appellant. P. 34(a)(2).

Baugus contends that the district court improperly applied \$7,724 in seized funds to an unsatisfied fine of \$75,000 imposed in connection with his 2004 criminal judgment. Contrary to Baugus's contention, the district court did not err. *See* 18 U.S.C. § 3613(c). Consideration of Baugus's remaining claims is precluded pursuant to the doctrine of res judicata. *See Taylor v. Sturgell*, 553 U.S. 880, 892 & n.5 (2008); *United States v. Bhatia*, 545 F.3d 757, 759 (9th Cir. 2008); *see also United States v. Baugus*, Nos. 07-30046 and 07-30353, 2009 Westlaw 159228 (9th Cir. Jan 13, 2009).

AFFIRMED.