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United States Court of Appeals
For the First Circuit

No. 02-1389

UNITED STATES,
Plaintiff, Appellee,

v.

ONE PARCEL OF LAND, PARCELA 22, BARRIO LLANOS COSTA,
CABO ROJO, P.R.,
Defendant.

JORGE L. SUAREZ-MAYA,
Claimant, Appellant.

NAYDA FRANQUI; MUNICIPAL TAX COLLECTION CENTER (CRIM),
Claimants.

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO
[Hon. Robert J. Ward,* Senior U.S. District Judge]

Before
Boudin, Chief Judge,
Campbell, Senior Circuit Judge,
and Lipez, Circuit Judge.

Jorge L. Suarez-Maya on brief pro se.
Miguel A. Fernandez, Assistant United States Attorney, Chief,
Civil Division, Jose Javier Santos Mimoso, Assistant United States
Attorney, H.S. Garcia, United States Attorney, on brief for
appellee.

July 15, 2003

*Of the Southern District of New York, sitting by designation.

Per Curiam. Having thoroughly reviewed the record and the parties' briefs on appeal, we conclude that the district court did not abuse its discretion in declining to dismiss the government's forfeiture claim based on claimant's delayed transfer to Puerto Rico for his first forfeiture trial. See, e.g. Young v. Gordon, 330 F.3d 76, 81 (1st Cir. 2003) ("dismissal should not be viewed either as a sanction of first resort or as an automatic penalty for every failure to abide by a court order."). Apart from English translations of the relevant deeds, claimant failed to adduce any new evidence to support his claim to the property on retrial. Under these circumstances, we cannot say that the district court clearly erred in declining to credit fully claimant's testimony regarding the source of the purchase money. Accordingly, the district court's forfeiture judgment is affirmed. See Local Rule 27(c).