

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

\_\_\_\_\_  
No. 96-1478  
\_\_\_\_\_

Jewell Miller, Opal Miller, \*  
\*  
Plaintiffs/Appellees, \*  
\*  
Jewell Miller Trust, Trustees, \*  
Betty Ann Wooten and Carrie \*  
Simmons, \*  
\*  
Intervenor/Plaintiffs, \*  
\*  
v. \*  
\*  
Betty Ann Wooten, Carrie \*  
Simmons, \*  
\*  
Defendants/Appellants, \*  
\*  
William Johnson, \*  
\*  
Defendant. \*

\_\_\_\_\_  
No. 96-1805  
\_\_\_\_\_

Appeals from the United States  
District Court for the  
Western District of Arkansas.  
[UNPUBLISHED]

Jewell Miller, Opal Miller, \*  
\*  
Plaintiffs/Appellants, \*  
\*  
Jewell Miller Trust, Trustees, \*  
Betty Ann Wooten and Carrie \*  
Simmons, \*  
\*  
Intervenor/Plaintiffs, \*  
\*  
v. \*  
\*  
Betty Ann Wooten, Carrie \*  
Simmons, William Johnson, \*  
\*  
Defendants/Appellees. \*

\_\_\_\_\_

Submitted: December 12, 1996

Filed: March 18, 1997

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Before WOLLMAN and MURPHY, Circuit Judges, and TUNHEIM,<sup>1</sup> District  
Judge.

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PER CURIAM.

In accordance with a thorough, comprehensive memorandum opinion, the district court<sup>2</sup> entered a judgment setting aside a trust into which the substantial assets belonging to the appellees, two elderly sisters, had been placed and ordering the appellants, distant cousins of the appellees, to return the property to the appellees. The judgment also awarded compensatory and punitive damages and attorneys' fees, as well as appointing a receiver/commissioner to collect and preserve the assets. In addition, the judgment dismissed the appellees' claim based upon the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1961. It is from this portion of the judgment that the appellees have filed a cross-appeal.

Although the appeal and cross-appeal present some interesting issues, we conclude that because of the fact-bound nature of the case an extended opinion would have no precedential value. Suffice it to say that we find no clearly erroneous findings of fact nor any error of law in the district court's decision, and thus we affirm the judgment on the basis of the district court's memorandum

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<sup>1</sup>The HONORABLE JOHN R. TUNHEIM, United States District Judge for the District of Minnesota, sitting by designation.

<sup>2</sup>The Honorable Harry F. Barnes, United States District Judge for the Western District of Arkansas.

opinion. See 8th Cir. Rule 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.