

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 99-1486

Barbara McGee,

Appellant,

v.

Sgt. Nickolas Fredriken,

Appellee.

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* Appeal from the United States

* District Court for the

* Eastern District of Missouri.

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* [UNPUBLISHED]

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Submitted: March 22, 1999

Filed: April 15, 1999

Before McMILLIAN, LOKEN, and MURPHY, Circuit Judges.

PER CURIAM.

Barbara McGee commenced this action against a Drug Enforcement Administration officer seeking return of a forfeited automobile or compensatory damages. Because the relief she seeks would operate against the United States, McGee's claim is subject to the six-year statute of limitations set forth in 28 U.S.C. § 2401(a). See Hawaii v. Gordon, 373 U.S. 57 (1963). A notice of forfeiture was mailed to McGee's husband, the vehicle's registered owner, in May 1990; he filed a claim and cost bond. Notice of the vehicle's seizure was published for three successive weeks in August 1990. A default judgment of forfeiture was entered in

April 1991. McGee commenced this action in August 1997. In these circumstances, we agree with the district court¹ that McGee's claim is time-barred.

The judgment of the district court is affirmed. See 8th Cir. Rule 47A(a).

A true copy.

Attest:

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

¹The HONORABLE RODNEY W. SIPPEL, United States District Judge for the Eastern District of Missouri.