

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 16-7559

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

LEE BENTLEY FARKAS,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Leonie M. Brinkema, District Judge. (1:10-cr-00200-LMB-1)

Submitted: April 28, 2017

Decided: May 5, 2017

Before MOTZ, WYNN, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Lee Bentley Farkas, Appellant Pro Se. Karen Ledbetter Taylor, Assistant United States Attorney, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Lee Bentley Farkas appeals the district court's orders denying his "motion to forfeit direct proceeds of crime or substitute assets" and his motion for reconsideration. We have reviewed the record and find no reversible error. Accordingly, we affirm substantially for the reasons stated by the district court. *United States v. Farkas*, No. 1:10-cr-00200-LMB-1 (E.D. Va. filed Oct. 3 & entered Oct. 4, 2016; filed & entered Oct. 21, 2016); *see Ponormo v. United States*, 814 F.3d 681, 686 (4th Cir. 2016) (recognizing that issues raised for first time on appeal will not be considered absent exceptional circumstances); *Young v. United States*, 489 F.3d 313, 315 (7th Cir. 2007) ("[A] criminal forfeiture is part of the defendant's sentence and must be challenged on direct appeal or not at all."); *United States v. Pelullo*, 178 F.3d 196, 202 (3d Cir. 1999) (recognizing that "the order of forfeiture entered at sentencing is a final order with respect to the defendant from which he can appeal," as it "conclusively determines all of the defendant's interest in the forfeited property" and "the defendant generally has no standing to participate in the ancillary proceeding that takes place after the forfeiture order is entered at sentencing"). We deny Farkas' emergency motion for issuance of a temporary restraining order. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED