

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

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No. 12-1082

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United States of America,

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Appellee,

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v.

\* Appeal from the United States

\* District Court for the

\* Southern District of Iowa.

Samuel Acosta,

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\* [UNPUBLISHED]

Appellant.

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Submitted: June 12, 2012

Filed: June 9, 2012

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Before BYE, COLLOTON, and GRUENDER, Circuit Judges.

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PER CURIAM.

Samuel Acosta appeals the district court's<sup>1</sup> denial of his motion under Federal Rule of Criminal Procedure 41(g) for return of personal property. Upon careful review of the relevant record, we conclude that the district court did not err by denying the motion or failing to hold an evidentiary hearing. See Jackson v. United States, 526 F.3d 394, 396 (8th Cir. 2008). Accordingly, we affirm. See 8th Cir. R. 47B. We also grant appellee's motion to strike a portion of Acosta's reply brief. See FTC v. Neiswonger, 580 F.3d 769, 775 (8th Cir. 2009).

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<sup>1</sup>The Honorable Robert W. Pratt, United States District Judge for the Southern District of Iowa.