

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 04-13367

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
AUGUST 12, 2005
THOMAS K. KAHN
CLERK

D. C. Docket Nos. 04-00249-CV-WBH-1 & 01-67106-BKC-JB

IN RE: DOT MD, LLC

Debtor.

FRANK M. WEYER, as assignee of the
Judgements of East Coast Internet and
Internet.MD, Inc.,

Plaintiff-Appellant,

versus

MORTON LEVINE, Chapter 11 Trustee
for the estate of Dot MD, LLC,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Georgia

(August 12, 2005)

Before EDMONDSON, Chief Judge, BIRCH and COX, Circuit Judges.

PER CURIAM:

Frank M. Weyer, a creditor of Dot MD, LLC, appeals the district court's affirmance of the bankruptcy court's grant of summary judgment in favor of Morton P. Levine, the bankruptcy trustee. The bankruptcy court determined that Weyer's judgment lien did not attach to proceeds of a settlement agreement between the Trustee and MoldData. In re DotMD, LLC, 303 B.R. 519 (Bankr. N.D. Ga. 2003). Because the proceeds from MoldData's agreement with the trustee were not from the sale of assets that Dot MD properly or presently held, but represented a settlement -- at least in part -- of disputed contractual claims, we conclude that the bankruptcy court did not err in determining that the creditor's judgment did not attach to the proceeds. See O.C.G.A. § 44-12-20; Prodigy Centers/Atlanta v. T-C Assocs., 501 S.E.2d 209, 211 n.3 (1998).

AFFIRMED.