

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 06-12887

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT SEPTEMBER 5, 2007 THOMAS K. KAHN CLERK
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D. C. Docket No. 03-80612-CV-KAM

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff-Appellee,

UNITED STATES OF AMERICA,

Intervenor-Plaintiff

versus

MICHAEL LAUER,

Defendant-Appellant,

LANCER MANAGEMENT GROUP, LLC,
et al.,

Defendants.

Appeal from the United States District Court
for the Southern District of Florida

(September 5, 2007)

Before DUBINA and MARCUS, Circuit Judges, and COOGLER,* District Judge.

PER CURIAM:

The Securities and Exchange Commission (“SEC”) brought an action against Michael Lauer to obtain relief from his alleged violation of certain anti-fraud provisions of federal securities laws. This interlocutory appeal arises from the district court’s imposition of sanctions against Lauer for his failure to comply with his discovery obligations in the underlying case.

After reviewing the record, reading the parties’ briefs, and having the benefit of oral argument, we affirm the district court’s imposition of sanctions based upon its well-reasoned orders imposing sanctions filed on January 24, 2006, and March 14, 2006.

We do observe, however, that subject matter jurisdiction can be raised by any party at any time.

AFFIRMED.

*Honorable L. Scott Coogler, United States District Judge for the Northern District of Alabama, sitting by designation.