

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 02-13839

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
October 03, 2003
THOMAS K. KAHN
CLERK

D. C. Docket No. 02-60067-CV-AJ
Bkcy. Docket No. 99-26616-BKC-RB

In Re: FINANCIAL FEDERATED TITLE AND TRUST, INC.
d.b.a. Viatical Federated Title and Trust,
a.k.a. Asset Security Corp.,
a.k.a. Viatical Asset Recovery Corp.,
a.k.a. Quad B Ltd.,

Debtor.

RAPHAEL LEVY,
a.k.a. Ray Levy,
ROSEANN M. LEVY,

Plaintiffs-Appellants,

versus

JOHN W. KOZYAK, Trustee,

Defendant-Appellee.

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

(October 3, 2003)

Before HULL, MARCUS and STAHL*, Circuit Judges.

PER CURIAM:

On November 16, 2001, the United States Bankruptcy Court for the Southern District of Florida entered an order granting summary judgment in favor of Appellee. In re Financial Federated Title & Trust, Inc., 273 B.R. 706 (S.D. Fla. 2001). The order imposed an equitable lien and constructive trust against Appellants' Florida homestead property. Appellants appealed to the United States District Court for the Southern District of Florida, which affirmed the Bankruptcy Court's order.

After review and oral argument, we conclude that Appellants purchased their home with fraudulently obtained funds and that the Florida Constitution does not protect Appellants' homestead property from an equitable lien or constructive trust for the reasons outlined in the Bankruptcy Court's thorough and well-

*Honorable Norman H. Stahl, United States Circuit Judge for the First Circuit, sitting by designation.

reasoned order. Because the Bankruptcy Court's order amply describes the issues and controlling law in this case, we hereby adopt the Bankruptcy Court's order, attached hereto as Exhibit A.

AFFIRMED.