

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 10-11980

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
APR 21, 2011
JOHN LEY
CLERK

D.C. Docket No. 9:09-cv-82303-CMA
Case No. 07-11010-BKC-PGH

IN RE:

ERNEST W. WILLIS,

Debtor.

ERNEST W. WILLIS,

Plaintiff - Appellant,

versus

DEBORAH MENOTTE,
RED REEF, INC.,

Defendants - Appellees.

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

(April 21, 2011)

Before PRYOR and COX, Circuit Judges, and WATKINS,* District Judge.

PER CURIAM:

Ernest W. Willis appeals the judgment that assets in three of his retirement accounts are not exempt from his bankruptcy estate. The Bankruptcy Code provides an exemption for “retirement funds to the extent that those funds are in a fund or account that is exempt from taxation under section 401, 403, 408, 408A, 414, 457, or 501(a) of the Internal Revenue Code of 1986.” 11 U.S.C. § 522(b)(3)(C). The bankruptcy court and the district court determined that Willis engaged in several prohibited transactions under section 408 of the Internal Revenue Code and caused the assets to lose their tax-exempt status. 26 U.S.C. §§ 408(e)(2), 4975(c)(1). All of Willis’s arguments on appeal lack merit, and he has failed to establish that the bankruptcy court committed any reversible error. We affirm based on the well-reasoned opinion of the district court.

The judgment against Willis is **AFFIRMED**.

*Honorable W. Keith Watkins, United States District Judge for the Middle District of Alabama, sitting by designation.