

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 12-10086

D.C. Docket No. 1:09-cr-00037-SPM-GRJ-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee
Cross Appellant,

versus

SAMIM ANGHAIE,
SOUSAN ANGHAIE,

Defendants-Appellants
Cross Appellees.

Appeals from the United States District Court
for the Northern District of Florida

(September 24, 2013)

Before CARNES, Chief Judge, WILSON and EBEL,* Circuit Judges.

PER CURIAM:

* Honorable David M. Ebel, United States Circuit Judge for the Tenth Circuit, sitting by designation.

In an earlier opinion in this case, we rejected the government's cross-appeal arguments concerning the amount of the forfeiture that the Appellants were ordered to pay and the district court's failure to order them to pay restitution. United States v. Anghaie, No. 12-10086, 2013 WL 2451168 (11th Cir. June 7, 2013). We also rejected the Appellants' arguments that the evidence was insufficient to convict them on the counts for which they were convicted. Id. But we remanded for the limited purpose of having the district court conduct an evidentiary hearing into the Appellants' claim that they were entitled to a new trial because of a pre-verdict conversation between one of the jurors and Dr. Abdol Chini about Appellant Samim Anghaie.

On remand, the district court held an evidentiary hearing, entered findings of fact, once again denied the Appellants' motions for a new trial, and directed the clerk to transmit its order to this Court, which constituted a return from remand.

The district court found that the conversation between the juror and Dr. Chini did not involve disputed facts in the case, and the only statements Dr. Chini made about any of the appellants were laudatory statements about Appellant Anghaie. The court also found that the juror did not discuss with any of the other jurors his conversation with Dr. Chini. Based on those fact findings, which are fully supported by the evidence, we agree with the district court's determination

that none of the Appellants were harmed or prejudiced in any way by the conversation and their motions for a new trial was were due to be denied.

The convictions and sentences of all of the Appellants, including the forfeiture order and the order on remand denying the motions for a new trial, are AFFIRMED.