

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION at LONDON

CIVIL ACTION NO. 6:07-CV-36

UNITED STATES OF AMERICA,

PLAINTIFF,

v.

OPINION AND ORDER

DONALD J. PAUL,
DEBRA A. PAUL, and
BANK OF McCREARY COUNTY

DEFENDANTS.

This matter is before the Court on the Motion for New Trial (DE 49) and Motion to Dismiss (DE 50) filed by the Defendants Donald J. and Debra A. Paul (the “Defendants”).

The Court entered a final judgment in this case on November 12, 2008 (DE 40). The Defendants filed a Notice of Appeal on December 10, 2008. Later, in July and August 2009, the Defendants filed the motions currently before the Court.

Because, at the time they filed the motions, the Defendants had already appealed this matter to the Sixth Circuit, this Court has no jurisdiction to rule on the motions. *See, e.g., Adkins v. Jeffreys*, 327 Fed. Appx. 537 (6th Cir. 2009).

Accordingly, the Court hereby ORDERS that the Motion for New Trial (DE 49) and Motion to Dismiss (DE 50) are DENIED as moot.

Dated this 26th day of January, 2010.



Signed By:

Karen K. Caldwell *KKC*

United States District Judge