

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANAIN RE ROYAL ALICE PROPERTIES,  
LLC

CIVIL ACTION

NO. 21-1633

SECTION "R" (3)

**ORDER AND REASONS**

On August 26, 2021, Arrowhead Capital Finance, Ltd. ("Arrowhead") filed a notice of appeal contesting the August 11, 2021 order of the United States Bankruptcy Court for the Eastern District of Louisiana approving a final fee application in the underlying proceeding, *In re Royal Alice Properties, LLC*, 19-bk-12337 (Bankr. E.D. La. 2021).<sup>1</sup> The Bankruptcy Court has notified this Court that a designation of record was never filed in this matter.<sup>2</sup> Indeed, there is nothing in the record to suggest Arrowhead has taken any actions to pursue this appeal in over a year.

Rule 8009 of the Federal Rules of Bankruptcy Procedure requires an appellant to file a designation of record on appeal within 14 days of filing the notice of appeal. "Rule 8001(a) gives a district court the authority to dismiss a bankruptcy appeal for failure to comply with procedural rules." *In re McDonald*, 327 F. App'x 491, 492 (5th Cir. 2009). Accordingly, a "district

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<sup>1</sup> R. Doc. 1.

<sup>2</sup> R. Doc. 2.

court . . . ‘may dismiss a bankruptcy appeal for failure to file a designation of record or statement of issues on appeal.’” *In re Heisler*, No. 22-47, 2022 WL 1027122, at \*2 (E.D. La. Apr. 6, 2022) (quoting *Matter of Thompson*, 140 B.R. 979, 982 (N.D. Ill. 1992), *aff’d*, 4 F.3d 997 (7th Cir. 1993)).

For the foregoing reasons, Arrowhead’s appeal of the Bankruptcy Court’s order is DISMISSED.

New Orleans, Louisiana, this 26th day of September, 2022.

  
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SARAH S. VANCE  
UNITED STATES DISTRICT JUDGE