

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-1436

ROGER CHESTER CREECH; BELVA ALDRIDGE CREECH,

Plaintiffs - Appellants,

versus

HARVEY FERTILIZER AND GAS COMPANY,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, District Judge. (5:04-cv-00933-BO; BK-02-07227-8-JRL)

Submitted: January 17, 2007

Decided: February 9, 2007

Before NIEMEYER, MICHAEL, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Walter L. Hinson, HINSON & RHYNE, P.A., Wilson, North Carolina, for Appellants. Paul A. Fanning, WARD & SMITH, P.A., Greenville, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Roger Chester Creech and Belva Aldridge Creech appeal from the district court's order affirming the bankruptcy court's order finding excusable neglect and enlarging the time for Harvey Fertilizer and Gas Company to file a deficiency claim in the Creeches' Chapter 12 bankruptcy case. We have reviewed the record and decisions of the bankruptcy court and the district court and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Creech v. Harvey Fertilizer & Gas Co., No. 5:04-cv-00933-BO (E.D.N.C. Feb. 28, 2006 & Mar. 1, 2006). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED