

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-2052

LEVESTER THOMPSON, M.D.,

Debtor - Appellant,

v.

HARRY SHAIA, JR.,

Trustee - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, District Judge. (3:10-cv-00919-JRS; 3:04-bk-33506-DOT)

Submitted: November 30, 2012

Decided: December 12, 2012

Before WILKINSON, KING, and THACKER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

William J. Stevens, Bridgman, Michigan, for Appellant. W. Scott Dillard II, SPINELLA, OWINGS & SHAIA, P.C., Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Levester Thompson appeals from the district court's order affirming the bankruptcy court's denial of his motion to reopen his bankruptcy case. Because the funds of the bankruptcy estate have been fully disbursed and cannot be recovered, and because Thompson has not shown cause for reopening the case, we dismiss the appeal as moot. See In re Stadium Mgt. Corp., 895 F.2d 845, 847 (1st Cir. 1990) ("Absent a stay, the court must dismiss a pending appeal as moot because the court has no remedy that it can fashion[.]"). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED