

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

December 10, 2013

Lyle W. Cayce  
Clerk

\_\_\_\_\_  
No. 13-20095  
Summary Calendar  
\_\_\_\_\_

In the Matter of: THOMAS MARTIN SIMS,

Debtor

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THOMAS MARTIN SIMS,

Appellant

v.

PATRICIA H. FITZPATRICK; RICHARD GUION,

Appellees.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:12-cv-03052  
\_\_\_\_\_

Before JOLLY, SMITH, and CLEMENT, Circuit Judges.

PER CURIAM:\*

For essentially the reasons stated by the bankruptcy court, 479 B.R.  
415 (Bankr. S.D. Tex. 2012), the judgment is AFFIRMED.

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not  
be published and is not precedent except under the limited circumstances set forth in 5TH  
CIR. R. 47.5.4.