

United States Court of Appeals
For the Eighth Circuit

No. 13-3483

In re: Wilma M. Pennington-Thurman

Debtor

Wilma M. Pennington-Thurman

Appellant

v.

Bank of America N.A.

Appellee

Appeal from the United States Bankruptcy
Appellate Panel for the Eighth Circuit

Submitted: May 21, 2014

Filed: June 5, 2014

[Unpublished]

Before LOKEN, MURPHY, and SMITH, Circuit Judges.

PER CURIAM.

Wilma Pennington-Thurman appeals the decision of the Bankruptcy Appellate Panel (“B.A.P.”) affirming the bankruptcy court order denying her post-discharge motion to reopen her bankruptcy case. We agree with the B.A.P. that the bankruptcy court did not abuse its discretion in denying the motion to reopen because a bankruptcy discharge “does not operate to extinguish a creditor’s in rem rights to foreclose against property in which it holds a lien,” and Bank of America’s notices to Pennington-Thurman stated that they were not an attempt to collect against the discharged debtor personally. See In re Apex Oil Co., Inc., 406 F.3d 538, 542 (8th Cir. 2005) (standard of review). Like the B.A.P., we decline to consider issues first raised by Pennington-Thurman on appeal concerning possible claims unrelated to the closed bankruptcy case.

The judgment of the B.A.P. is affirmed. See 8th Cir. R. 47B.
