

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In Re:)	
)	
RICHARD D. HORNE and)	
PATRICIA NELSON HORNE,)	
)	
Debtors,)	
)	
MARY BETH MANTIPLY,)	
)	CIVIL ACTION NO. 13-00258-CB-B
Plaintiff/Appellant,)	
)	
v.)	
)	
RICHARD D. HORNE and)	
PATRICIA NELSON HORNE,)	
)	
Defendants/Appellees.)	

ORDER

On January 9, 2014, Appellees filed a motion requesting this Court to direct the bankruptcy court clerk to pay over the supersedeas bond posted by the Appellant in bankruptcy court when Mantiplay filed the first of two appeals. (Doc. 56.) Appellant filed an objection to the motion. (Doc. 57.) This Court does not instruct the bankruptcy court clerk as to payment of funds held in the bankruptcy court's registry. That is the function of the bankruptcy court.¹ Accordingly, the motion is **DENIED**.

DONE and ORDERED this the 8th day of April, 2014.

s/Charles R. Butler, Jr.

Senior United States District Judge

¹ Even this Clerk were inclined to issue direct orders to the bankruptcy clerk, it would not be appropriate here. Appellee's motion is premised on the mistaken belief that final judgment had been entered with respect to the first appeal. It had not. The Court's opinion had been entered, but the rules require a separate judgment. See Fed. R. Bankr. R. 8016(a) (clerk of court for district court or Bankruptcy Appellate Panel prepares and signs judgment).