

United States District Court
For the Northern District of California

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E-filed on: 2/13/2009

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

<p>In re: CORRINA CURIEL LONA, Debtor.</p> <hr/> <p>CORRINA CURIEL LONA, Appellant, v. JOSE ABREU dba INTERTEL COMMUNICATIONS, Appellee.</p>	<p>No. C-08-03563 RMW ORDER DISMISSING APPEAL [Re Docket Nos. 16, 17]</p>
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On January 21, 2009, the court granted debtor Corrina Curiel Lona's motion for an extension of time to file her opening appellate brief. The court set a deadline of February 6, 2009. *See* Docket No. 16. In that order, the court cautioned: "A failure by Lona to file her appellate brief by February 6 will result in the court issuing an order to show cause why the appeal should not be dismissed for want of prosecution." *Id.* at 2 (emphasis in original).

Lona did not file a brief by February 6. On February 10, she filed a "withdrawal of appeal" "due to the burdens of representing oneself and the learning curve involved in doing so." The court

ORDER DISMISSING APPEAL
No. C-08-03563 RMW
TSF

1 interprets this document as a motion to voluntarily dismiss the appeal. *See* Bankr. Rule 8001(c)(2).
2 As the appellee has already filed a motion to dismiss the appeal for lack of prosecution, the court
3 grants Lona's motion to dismiss the appeal. The clerk shall close the file.

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DATED: 2/12/2009



RONALD M. WHYTE
United States District Judge

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27 **Honorable Roger L. Efremsky**

28 Roger L. Efremsky
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29 **Dated:** 2/13/2009

TSF
Chambers of Judge Whyte