

United States District Court
For the Northern District of California

1
2 UNITED STATES DISTRICT COURT
3 NORTHERN DISTRICT OF CALIFORNIA
4 SAN JOSE DIVISION

5	THE BILLING RESOURCE, LLC,)	Case No.: 12-CV-00445-LHK
6	Appellant,)	ORDER DISMISSING APPEAL
7	v.)	
8	OLD T.B.R. INCORPORATED, f/k/a THE)	
9	BILLING RESOURCE, dba INTEGRETTEL, a)	
10	California company,)	
	Appellee.)	

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12 The above captioned bankruptcy appeal was filed on January 27, 2012. ECF No. 1. On

13 February 2, 2012, Appellee moved to dismiss the appeal on the ground that: (1) Appellant's notice

14 of appeal is untimely; (2) the summary adjudication that forms the basis of this appeal is not a final

15 appealable order; and (3) Appellant has failed to file a designation of record and statement of issues

16 on appeal in accordance with Federal Rule of Bankruptcy Procedure 8006. ECF No. 3. As of June

17 11, 2012, more than four months after Appellee filed its motion to dismiss, Appellant had not filed

18 an opposition, nor had Appellant perfected the record as required by Rule 8006. Accordingly, the

19 Court ordered Appellant to show cause why this appeal should not be dismissed for failure to

20 prosecute. ECF No. 4. The Court ordered Appellant to file a response explaining why this case

21 should not be dismissed for failure to prosecute by June 25, 2012. The Order to Show Cause

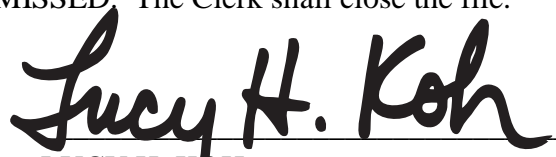
22 informed Appellant that failure to file a timely response would result in the appeal being dismissed.

23 As of June 26, 2012, Appellant has not filed a response to the Order to Show Cause nor complied

24 with Rule 8006. Accordingly, this appeal is DISMISSED. The Clerk shall close the file.

25 **IT IS SO ORDERED.**

26 Dated: June 26, 2012

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 28 LUCY H. KOH
 United States District Judge