

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE: Bishop

Romie David Bishop,	:	
	:	
Appellant,	:	C. A. No. 17-22-RGA
	:	
	:	Bankruptcy Case No. 11-12338 BLS
Federal National Mortgage Association, CitiMortgage, Inc.,	:	
	:	
Appellees.	:	AP No. 17-2

RECOMMENDATION

At Wilmington this 17th day of **January, 2017**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, a review of the docket in this matter occurred. This appeal is one of many filed by the appellant in this court. In the prior matters, after discussion with appellant and appellee's counsel, neither side expressed an interest in mediation. In the past, appellant's stated preference is to proceed with the appeal.

An order was entered by the Honorable Richard G. Andrews on January 9, 2017 requiring appellant to complete the long IPF form application within the next twenty-one (21) days. Should that form be completed and this appeal remain on the docket, it is recommended that it be removed from the requirement for mandatory mediation. The issues involved are not amenable to mediation and mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of

the process.

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. Through this Recommendation, the parties are advise of their right to file objections this Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1.

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
Chief U.S. Magistrate Judge Mary Pat Thyng