

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

IN RE: PETER SCHRICKEL and
KELLEEN SCHRICKEL

PETER SCHRICKEL and KELLEEN
SCHRICKEL,

Appellants,

v.

Case No: 2:16-cv-226-FtM-38

JON WAAGE,

Appellee.

ORDER¹

This matter comes before the Court on the Court's Order to Show Cause Why the Case should not be Dismissed ([Doc. #7](#)) filed on January 5, 2017. On January 5, 2017, the Court entered an Order to Show Cause why the Appellants, Peter and Kelleen Schrickel, had not filed an initial brief in accord with the Federal Rules of Bankruptcy Procedure.

Under [Federal Rule of Bankruptcy Procedure 8009\(a\)\(1\)](#), Appellants were required to file an initial brief by April 30, 2016. The Appellants failed to file in accord with the Bankruptcy Rules. In response to their failure to comply with the Bankruptcy Rules, the Court entered an Order to Show Cause that allowed them up to and including January

¹ Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.

11, 2017, to file their initial brief. The Appellants were warned that failure to file a brief as directed by the Court and the Bankruptcy Rules would result in their appeal being dismissed without further notice. To date the Appellants have failed to file an initial brief in this case and the time to do so under the Bankruptcy Rules and this Court's Order has expired. As such, the Appellants' Appeal of the Bankruptcy Decision is due to be dismissed with prejudice.

Accordingly, it is now

ORDERED:

The Appellants Peter and Kelleen Schrickel's Bankruptcy Appeal is hereby **DISMISSED**. The Clerk of the Court is directed to enter judgment accordingly and terminate any pending motions. The Clerk is further directed to transmit a copy of this Order and Judgment to the Clerk of the Bankruptcy Court and close the appellate file.

DONE and **ORDERED** in Fort Myers, Florida this 13th day of January, 2017.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record