

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

IN RE: PATRICK FARRELL

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PATRICK FARRELL,

Appellant,

v.

Case No: 2:16-cv-230-FtM-38

DIANE L. JENSEN,

Appellee.

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**ORDER**<sup>1</sup>

This matter comes before the Court on its January 9, 2017, Order to Show Cause Why the Case Should Not be Dismissed ([Doc. #9](#)). The Court entered an Order to Show Cause why the Appellant, Patrick Farrell, had not filed an initial brief in accord with the Federal Rules of Bankruptcy Procedure.

Under [Federal Rule of Bankruptcy Procedure 8009\(a\)\(1\)](#), Appellant was required to file an initial brief by April 29, 2016. In response to Appellant's failure to do so, the Court entered an Order to Show Cause that allowed him up to and including January 13, 2017, to file his initial brief. The Appellant was warned that failure to file a brief as directed by the Court would result in the appeal being dismissed without further notice. To date

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<sup>1</sup> 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.

Appellant has failed to file an initial brief and the time to do so has expired. Appellant's Appeal of the Bankruptcy Decision is due to be dismissed with prejudice.

Accordingly, it is now

**ORDERED:**

The Appellant, Patrick Farrell's Bankruptcy Appeal is **DISMISSED** with prejudice. 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 18th day of January, 2017.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: All Parties of Record