

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In Re:

CHARLES EDWARD WOIDE; and
SUSANNAH CLARE WOIDE,

Debtors.

Bankr. Case No. 6:10-bk-22841-KSJ

CHARLES EDWARD WOIDE; and
SUSANNAH CLARE WOIDE,

Appellants,

v.

Case No. 6:16-cv-1484-Orl-37

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Appellee.

ORDER

In the instant appeal, the Court affirmed the bankruptcy court's order and dismissed the case. (Doc. 24 ("**Dismissal Order**").) Thereafter, Appellants moved for reconsideration of the Dismissal Order (Doc. 25), which the Court denied (Doc. 26 ("**Denial Order**").). On February 17, 2017, Appellants filed a notice of appeal with the U.S. Court Appeals for the Eleventh Circuit seeking to challenge the Denial Order ("**Appeal**"). (Doc. 27.) Effective April 3, 2017, and pursuant to Eleventh Circuit Rule 42-2(c), the Eleventh Circuit dismissed the Appeal for want of prosecution because

Appellants failed to timely file a brief. (See Doc. 29.) Appellants now move this Court to reinstate the Appeal. (Doc. 30 (“**Motion**”).)

Of course, this Court does not have jurisdiction to direct the Eleventh Circuit to reinstate an appeal. Both the Federal Rules of Appellate Procedure and the Eleventh Circuit’s Rules contemplate that the Motion should have been filed with the Clerk for the Eleventh Circuit. See Fed. R. App. P. 25(a)(1); see also 11th Cir. R. 42-2(e). Hence the Motion is due to be denied.

Accordingly, it is **ORDERED AND ADJUDGED** that Appellants’ Emergency Motion to Reinstate Appeal (Doc. 30) is **DENIED**.

DONE AND ORDERED in Chambers in Orlando, Florida, on May 2, 2017.




ROY B. DALTON JR.
United States District Judge

Copies to:

Counsel of Record
Pro Se Parties